8728. By Mr. CULLEN: Petition of Carpenters' Local Union, No. 53, of White Plains, N. Y., protesting against the importation of any goods that may be manufactured wholly or in part by convict labor, and urging the Congress to prevail upon the Department of the Treasury to enforce section 307 of the tariff act of 1930; to the Committee on Ways and Means.

8729. Also, petition of the Fleet Reserve Association, Branch No. 2, Brooklyn, N. Y., asking the Congress to pass House bill 3493 at this session of Congress as a means to eliminate the misery and suffering among the veterans and their loved ones; to the Committee on Ways and Means.

8730. By Mr. GARBER of Oklahoma: Petition of Otto G. Abbott Post, No. 165, of the American Legion, Newkirk, Okla., in suppore of full payment of adjusted-compensation certificates; to the Committee on Ways and Means.

8731. By Mr. MAAS: Resolution by the Daytons Bluff Post, No. 515, American Legion, Department of Minnesota, recommending the redemption of the adjusted-service certificates at their full face value; to the Committee on Ways and Means.

8732. By Mr. GARBER of Oklahoma: Petition of Beaver Post, No. 149, American Legion, Beaver, Okla., in support of full payment of adjusted-compensation certificates; to the Committee on Ways and Means.

8733. Also, petition of Chautauqua Reading Club, Enid, Okla., in support of House bill 9986; to the Committee on Interstate and Foreign Commerce.

8734. Also, petition of Charles E. McPherren, brigadier general, National Guard, Oklahoma City, Okla., in support of House bill 12918; to the Committee on Military Affairs.

8735. Also, petition of Buffalo Chamber of Commerce, Buffalo, Okla., indorsing abandonment of proration of oil, and levying of adequate tariff on importation of oil and by-products; to the Committee on Ways and Means.

8736. By Mr. JAMES of North Carolina: Petition signed by 91 members of Hamlet Post, No. 45, American Legion, North Carolina, urging that legislation be enacted by Congress providing for the immediate payment, at face value, of adjusted-service certificates of veterans of the World War; to the Committee on Ways and Means.

8737. By Mr. LOZIER: Petition of 75 citizens of Spickard, Galt, Harris, and other near-by cities in Missouri, urging the enactment of certain legislation authorizing the Treasury to pay the full face value in cash of the adjusted-compensation certificates; to the Committee on Ways and Means.

8738. By Mr. O'CONNOR of New York: Resolution of sundry citizens of the city of New York in support of House bill 7884; to the Committee on the District of Columbia.

8739. By Mr. PRALL: Petition received from A. L. Owen, secretary legislative committee, Local No. 53, United Brotherhood of Carpenters and Joiners of America, White Plains, N. Y., protesting against goods or other products made by convict labor; to the Committee on Ways and Means.

8740. Also, petition of citizens of the eleventh congressional district, New York, actively interested in the passage of House bill 7884, a bill for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

8741. By Mr. SANDERS of Texas: Petition of members of American Legion, Woodrow Wilson Post, No. 399, San Antonio, Tex., urging the cash payment of adjusted-service certificates; to the Committee on Ways and Means.

8742. By Mr. SELVIG: Petition of 42 members of the Fertile, Minn., Post of the American Legion, favoring enactment of legislation providing for payment of adjusted-service certificates; to the Committee on Ways and Means.

8743. Also, petition of department adjutant, American Legion, of Minnesota, favoring redemption of the adjusted-service certificates at their full face value; to the Committee on Ways and Means.

8744. Also, petition of the American Legion Post of Clearbrook, Minn., urging redemption of the adjusted-service certificates at their full face value; to the Committee on Ways and Means.

8745. Also, petition of 22 veterans and other residents of Clearbrook, Minn., urging the enactment of bill providing for immediate payment of face value of the adjusted-service certificates; to the Committee on Ways and Means.

8746. Also, petition of 31 veterans and other residents of Clearbrook, Minn., urging the enactment of bill providing for immediate payment of face value of the adjusted-service certificates; to the Committee on Ways and Means.

8747. Also, petition of 25 veterans and other residents of Clearbrook, Minn., urging enactment of bill providing for payment of adjusted-compensation certificates to veterans; to the Committee on Ways and Means.

8748. By Mr. WATSON: Petition of residents of Montgomery County, Pa., favoring the passage of House bill 7884, prohibiting experiments on living dogs in the District of Columbia; to the Committee on the District of Columbia.

8749. By Mr. YATES: Petition of Lieut. Col. W. R. Matheny (Cook County) Chapter, Reserve Officers' Association, Chicago, Ill., urging that the $90,000 be restored to the Army appropriation bill; to the Committee on Appropriations.

8750. Also, petition of H. F. Michel, 1025 North Parkside Avenue, Chicago, Ill., urging the passage of Senate bill 3969 and House bill 10821, vocational educational bills; to the Committee on Education.

8751. Also, petition of Dr. Clifford L. Sorver, superintendent Hall Township High and Vocational School, district No. 502, Spring Valley, Ill., urging the passage of Senate bill 3969 and House bill 10821; to the Committee on Education.

SENATE

WEDNESDAY, JANUARY 21, 1931

Rev. James W. Morris, D. D., assistant rector, Church of the Epiphany, of the city of Washington, offered the following prayer:

Almighty God, who hast given all authority and power in heaven and earth to Thy blessed Son, thereby constituting Him author of the world's moral order and finisher of mankind's noblest and happiest destiny, grant that we may never, either as a nation or as simple Christians working at our various tasks, lose His abiding presence, promised to His people for all the days to the end, and fitting them, each in his place, to do their part toward bringing in the final kingdom of peace on earth and good will among men. We ask this through the Savior, Jesus Christ, our Lord. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of the calendar days of January 12 to January 20, inclusive, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	King	Shortridge
Barkley	Frazier	La Follette	Simmons
Bingham	George	McGill	Smith
Black	Glass	McKellar	Smoot
Blaine	Glenn	McMaster	Steiwer
Bratton	Goff	McNary	Stephens
Brock	Goldsborough	Metcalf	Thomas, Idaho
Brookhart	Gould	Morrison	Thomas, Okla.
Broussard	Hale	Morrow	Townsend
Bulkley	Harris	Norbeck	Trammell
Capper	Harrison	Norris	Tydings
Caraway	Hastings	Nye	Vandenberg
Connally	Hatfield	Oddie	Wagner
Copeland	Hawes	Partridge	Walcott
Couzens	Hayden	Patterson	Walsh, Mass.
Cutting	Hebert	Phipps	Walsh, Mont.
Dale	Heflin	Pine	Waterman
Davis	Howell	Pittman	Watson
Deneen	Jones	Reed	Wheeler
Dill	Kendrick	Schall	Williamson
Fess	Keyes	Sheppard	

Mr. WATSON. My colleague the junior Senator from Indiana [Mr. ROBINSON] is detained from the Senate on account of illness in his family. I ask that this announcement may stand for the day.

Mr. BROUSSARD. I wish to announce that my colleague the senior Senator from Louisiana [Mr. RANSDELL] is necessarily detained from the Senate by illness. I will let this announcement stand for the day.

Mr. FESS. I was requested to announce that the Senator from Idaho [Mr. BORAH], the Senator from California [Mr. JOHNSON], the Senator from New Hampshire [Mr. MOSES], and the Senator from Massachusetts [Mr. GILLETT] are detained in a meeting of the Committee on Foreign Relations.

The VICE PRESIDENT. Eighty-three Senators have answered to their names. A quorum is present.

MARINE PRODUCTS IMPORTED IN ALIEN VESSELS (S. DOC. NO. 255)

The VICE PRESIDENT laid before the Senate a communication from the chairman of the United States Tariff Commission, in compliance with Senate Resolution 314, making a partial report with respect to an investigation of the entries of fish and other marine products into the United States from the high seas in vessels owned, chartered, leased, or rented, wholly or in part, by aliens, etc., which was ordered to lie on the table and to be printed.

PETITIONS

Mr. BROOKHART presented the petition of Samuel E. Kurtz, of Sac City, Iowa, praying for certain correction and redress in connection with his Patent No. 1105280, being a matter relative to the vacuum governor control of a gas engine, etc., which was referred to the Committee on Patents.

Mr. TYDINGS presented petitions of sundry citizens of the State of Maryland, praying for the ratification of the World Court protocols, which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of the State of Maryland, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. GOLDSBOROUGH presented petitions of sundry citizens of the State of Maryland, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented petitions of sundry citizens of the State of Maryland, praying for the ratification of the World Court protocols, including the so-called Root formula, which were referred to the Committee on Foreign Relations.

Mr. COPELAND presented resolutions adopted by the New York Tow Boat Exchange (Inc.), of New York, N. Y., favoring the prompt making of appropriation for the acquirement of such vessels, and for the support of additional personnel as may be necessary, in the judgment of the captain of the port, to the effective administration of his office, which were referred to the Committee on Commerce.

CASHING OF VETERANS' ADJUSTED-COMPENSATION CERTIFICATES

Mr. McKELLAR. Mr. President, I send to the desk a letter and resolutions of American Legion, Memphis Post, No. 1, asking for the immediate conversion of the soldier's certificates into cash. I ask that the letter and resolutions may be printed in the RECORD and referred to the Committee on Finance.

There being no objection, the letter and resolutions were referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

MEMPHIS, TENN., *January 13, 1931.*

Hon. KENNETH D. MCKELLAR,
Senate Office Building, Washington, D. C.

DEAR SENATOR: Inclosed find resolution passed at the last regular meeting of Memphis Post, No. 1, American Legion, Department of Tennessee.

The members of Memphis Post, No. 1, feel sure that we can count on you as a friend of the ex-service man and that by placing this resolution in your hands we can and will rest assured that you will do everything in your power to expedite the passage of a bill that will make this resolution a reality.

Thanking you in advance for any consideration and help you may render us in this matter, we remain,

Very truly yours,

AMERICAN LEGION, MEMPHIS POST, No. 1,
W. PERCY MCDONALD, *Chairman.*
W. M. STANTON,
FRED MIVELAZ,
ALEX BERNSTEIN,
Committee.

Whereas owing to the present unparalleled financial and economical depression in the United States there are thousands of World War veterans who are unemployed and they and their dependents are in dire want; and

Whereas the United States Government within the three or four years following the World War adjusted in cash all of the claims of the war contracts, shipbuilders, railroads, and others who dealt with or had any claims involving property rights against the Government; and

Whereas on the other hand the Government very tardily and only in response to a widespread and vigorous demand on the part of a large proportion of the public adjusted the services of the veterans of the World War, which services were rendered in toil, sweat, and blood, on a much smaller proportional basis, and then gave certificates payable in 1945 in payment thereof: Now, therefore, be it

Resolved by the members of Memphis Post, No. 1, Department of Tennessee, of the American Legion, in regular meeting assembled, That we hereby petition the Congress of the United States to immediately provide for the retirement and payment of the adjusted-compensation certificates issued to the veterans of the World War during the calendar year of 1931, with option to those that do not desire cash to retain their certificate; and be it further

Resolved, That a copy of this resolution be given to the press and that copies be forwarded to the United States Senators from Tennessee and Congressmen from the tenth congressional district of Tennessee, and that they be requested and urged to use their best efforts to secure the enactment of the above-mentioned legislation; also that a copy of this resolution be forwarded to all National and State officers of the American Legion and to each of the posts of the American Legion in Tennessee.

ISLE ROYALE AS A NATIONAL PARK

Mr. VANDENBERG. Mr. President, Dr. Frank R. Oastler, who occupies the unique position of investigating proposed sites for national parks for the benefit of the National Park Service, was assigned the task of investigating Isle Royale in Lake Superior. The survey is summarized in a short editorial appearing in the Detroit News, which I ask unanimous consent to have printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Detroit News, January 19, 1931]

DOCTOR OASTLER ON ISLE ROYALE AS A NATIONAL PARK

Dr. Frank R. Oastler, of New York City, who occupies the unique position of investigating proposed sites for national parks and determining upon their qualifications for the benefit of the National Park Service, was assigned the task of investigating Isle Royale. In his final report, made public through Outdoor America, the official publication of the Izaak Walton League of America, Doctor Oastler says, in summing up his findings: "Isle Royale certainly meets the requirements of national park standards, particularly for these reasons: (1) The isolation and situation of the island and its tributaries are unique; (2) it is a real wilderness area; (3) its scenic features are of an unusual type of beauty; (4) its geological story is of peculiar interest in association with the glaciation of the region and subsequent lake formation; (5) its excellent demonstration of the evolution of plant societies; (6) as a fine example of transitional zone forest; (7) the remarkable presentation of the evolution of bog invasion of lake areas to form bog forests; (8) abundant plant life—500 varieties; (9) abundant bird life—117 different species; (10) a remarkable moose population; (11) exceptional recreational features. There can, therefore, be little doubt that the island is eminently fitted to take its place among the collection of jewels that constitute our national-park system."

In suggesting how its acquisition can be brought about, Mr. Oastler has this to say: "With ease of administration, good transportation facilities, and suitable accommodations for the traveler already possible, the only remaining requisite to make Isle Royale a national park is the man or men who have sufficient means and are sufficiently patriotic to purchase this gem and present it to our Government for the benefit and enjoyment of all our people for all time. Certainly in all our great land there must be some such, when it becomes known that if action is not taken at an early moment the beautiful forest cover of this island will fall a sacrifice to the axe of the lumberman. Who is there who is willing to hand down his name to posterity as one who loved his fellowman?"

With almost one-half of the 132,000 acres of Isle Royale already pledged as a gift to the Government, in the event it measured up

to national-park standards, it should not be difficult to acquire the remaining acreage, which is almost entirely in the hands of a single corporation. But, as Doctor Oastler points out, this requires some public-spirited citizen or group of citizens to furnish the necessary funds for its purchase.

THE OIL INDUSTRY

Mr. SHEPPARD. Mr. President, I present for publication in the RECORD an address by Mr. T. F. Hunter, of Wichita Falls, Tex., to the Texas Members of the House of Representatives, at Washington, D. C., in behalf of the distressed oil industry. I want to say that while the figures which he gives relate to Texas they apply in proportion to every State in which the independent oil business to-day is being conducted. I commend this statement to the attention of every Senator.

The VICE PRESIDENT. Without objection, the address will be printed in the RECORD.

The address is as follows:

ADDRESS MADE BY T. F. HUNTER, OF WICHITA FALLS, TEX., TO THE TEXAS MEMBERS OF THE HOUSE OF REPRESENTATIVES, AT WASHINGTON, D. C., ON BEHALF OF THE DISTRESSED OIL INDUSTRY, ON WEDNESDAY, JANUARY 21, 1931

Analyzing the oil situation, first as we are affected in Texas and from a financial viewpoint, it is this: Before imports drove us to proration we were selling 893,000 barrels of oil a day, of an engineer's estimated value average of about $2. We are selling 633,000 barrels per day under proration, at an average price of less than 70 cents per barrel, probably 60 cents. At the peak figure at $2 per barrel we were receiving for this one commodity $1,786,000 per day. The present market figure at 70 cents, which is considerably above the average, we are receiving for this one commodity only $443,000 per day, a loss per day to Texas in returns on this one commodity of $1,343,000, a loss per year to the State of Texas for this commodity of $500,195,000.

Viewed from the standpoint of lost money in collected taxes to the State of Texas, figuring barrels at the same price, the 2 ⅔ per cent gross production taxes shows a loss to the State of Texas on this one item of $33,570 per day, or $12,252,052 per year. Twenty-five per cent of this money goes into our State public-school fund.

The University of Texas and the public-school system owns a great deal of royalties. I am not able now to state the exact figures, but it is considerably above 5,000 barrels per day. Calculated on the basis of 5,000 barrels per day, the depression means a loss to the University of Texas from this one source of $6,500 per day, or the sum of $2,373,500 per year.

There is no means that I know of to calculate the ad valorem tax loss, though the ad valorem is calculated on the barrels of production per day average, the last three months of each year being taken for the test. All our flush fields are prorated to 3 per cent of their potential; that means that they are only paying 3 per cent of what they would pay in ad valorem if they were permitted to produce their potential. To illustrate, I own one lease which was rendered for the coming year on the basis of 28 barrels a day, its allowable production on an ad valorem valuation of $10,200. That is a settled lease, and should be producing its full capacity of 360 barrels; and if it was, the rendition would be at $144,000 valuation. Other leases are prorated on a 50 per cent basis, while a few leases in Texas showing a day average of not more than 4 barrels per day are not prorated. It is safe to say that more than 60 per cent of the ad valorem tax on this great industry is a loss to the State, counties, and schools.

In passing it may be safely said that the United States Government will collect from the oil industry but very little taxes in the way of income tax during the ensuing year. The ills of the oil industry, it being a basic industry, are reflected upon the other basic industries, and in like manner their income-tax payments will be materially reduced.

The nonbuying power of the crippled oil industry and its unemployed has reflected upon the steel mills, coal-mine operators, the railroads, and their loss of business has in turn reflected upon all the other industries and steel-mill employees, factory employees, and employees of all lines of business have been released from the employment; and they, like the employees of our industry, are idle and add to the hundreds of thousands that make up the unemployed millions in the United States. We therefore charge that directly and indirectly the ills of our industry are responsible for some 50 per cent or more of the unemployed situation in the United States. All industry throughout the world has been passing through a transition that has affected prices, and this is due largely to the fall in values of basic commodities and to the underlying world causes for such decline. I am confident that in the end stabilization and recovery will develop from intelligent management. The "Spirit of live and let live" is a necessary doctrine of modern business, and no satisfactory substitute has been found for the golden rule.

The regional director of the unemployed of the Southwest area working under appointment of the administration through Colonel Woods, after investigation says that the unemployment of the oil fields of Texas and those in Texas unemployed as a result of the oil-industry depression will no doubt reach the astounding number of 100,000. These workmen are paid from $4 to $14 per day when working. I believe that $7 per day is the average wage of these workmen. If it is, then there is a loss in wages, which should be paid to the needy and hungry people of Texas, the sum of $700,000 per day or the enormous sum of $255,000,000 per year. If legislation be enacted that would restore this industry, it would bring to the starving masses of our State $255,000,000 per year. On the other hand, if Texas receives its proportion of the relief fund being sought by the Congress of the United States it would be less than ten million. If we should use $5 per day as the average wage of these men, and we know that it is more than that, the figure would reach near two hundred millions. Why vote out doles to our people when we can enact legislation that would provide work for them and give them many, many times the relief now sought by the Congress. (Incidentally, I am feeding some families of men who have been true to me in service of the industry for years. It would not be necessary for me to feed these families if the flood of oil from foreign countries was not pouring in upon us.)

We have advanced what we have known to be sound argument, that due to the oil depression several hundred thousand laborers are out of work, unemployed, and in destitution; that their idleness and the loss of their buying power created by them has pulled from employment in other industries, mills, and factories hundreds of thousands of men; that in fact our present unemployment situation is due largely to the depression in oil. As proof of that we now offer the Government report published in the New York Times under date of January 18, page 26, under the headline, Venezuela Misses Slump. Digesting the article we find an analysis of the unemployment situation of the world given in figures reciting that the United States and a number of other countries are suffering a great depression on account of the millions unemployed, saying that the contrary exists in Venezuela and that there are but few idle, the number being so small that it is negligible. Quoting from the article:

"What little pessimism is present in Venezuela amounts to nothing. The men with money are building more than ever, farmers show larger acreage, more public and private work is being done, and Venezuela in consequence is going serenely on her way."

It is evident that the shifting of the oil business from the United States to Venezuela has brought about this prosperity in Venezuela.

The major importing companies and some others have carried on a great campaign through advertisement, educating us to the idea of conservation. We have found specific instances of advertisement of these big companies of one kind or another for which during one year they have paid more than $12,000,000. It is true that not all this advertisement was along conservation lines, though a large percentage of it was. Before the oil industry reached its position a like campaign was carried on for the conservation of coal and the same line of argument was used. It was conserved for our generation. We have it now. What are we going to do with it? It is just as reasonable that we might say that we ought to save our lands, allow the weeds to grow, to fall, and rot upon it, to make it rich, and use the wheat from Russia and other countries so that our posterity might have our richest soils. I say that it is just as reasonable to make these contentions as it is to contend for a present conservation of oil, as we have enough known reserves to last many generations and until some other mode of power shall replace oil then there will yet be billions of barrels.

As the first step toward proving that instead of there being an overproduction of oil in 1930 there was an actual underproduction, let's start out by omitting imported oil from our first calculation.

In the first 11 months of 1930 the total crude production of the United States was 829,280,000 barrels. The "total demand" was as follows:

	Barrels
Crude run to stills:	
Domestic	799,726,000
Foreign	56,140,000
Crude exported	22,367,000
Crude used for other purposes	31,130,000
Total demand	909,363,000
Deducting our total production of	829,280,000
Leaving a shortage of	80,083,000

On January 1, 1930, the total crude oil in storage in the United States was 540,851,000 barrels. On November 30, 1930, there were 518,170,000 barrels in storage, or 22,681,000 barrels less than on January 1.

Now let's see how we took care of this 80,083,000 barrels shortage.

We drew from storage 22,681,000 barrels and we imported 57,402,000 barrels, or a total of 80,083,000 barrels.

Had there been no imports of foreign crude oil in the first 11 months of 1930 we would have reduced the crude stocks of the United States 80,083,000 barrels, or from 540,851,000 barrels on January 1 to 460,768,000 barrels on November 30.

The thing that actually happened, however, was that with a shortage of 80,080,000 barrels we pulled 22,681,000 barrels out of storage and met the remainder of our shortage by importing 57,402,000 barrels of foreign oil.

The governors' conference has petitioned the Congress of the United States for immediate relief from their distress. While the operators are determined in their fight for a high tariff on this commodity they feel that their chances for immediate relief is not so good for a tariff as it is for a plan of proration of imports;

that there is a better opportunity at this short session of Congress to enact a law to regulate commerce and by that law reduce the imports of crude into the United States of an amount equal to 20 per cent of that imported in the year of 1928. Their production in foreign fields is all a high flush production. That part of their production imported into the United States could be reduced to 20 per cent of that of 1928 and they would not yet be prorated to the low level of that fixed for the independent operators of the United States. Flush fields of Oklahoma are allowed to produce only 1 per cent of its potential—that is to say, they may within one year's time produce their wells for three and one-half days. The flush fields of Texas prorated to 3 per cent and under these orders they may produce their wells 10 full days each year. Then, since we are so prorated we feel we are within our rights when we demand that they be prorated to 20 per cent, as that would allow them a larger percentage than we are allowed. As the appointed representatives of our State we besiege you not only to support this measure for our immediate relief but that you go into ranks of the Congressmen and Senators from other States and to those from States where oil is not produced; by every fair tactic bring to our aid these representatives.

We confess that this will not be a cure-all remedy, neither is a wooden leg a cure for the cripple, but a one-leg man can, by the use of that wooden leg, walk.

In behalf of the labor of the United States we must have legislation prohibiting the imports of refined products. By the figures already given we have shown that there was a demand for oil greater than that produced in the United States by some 80,000,000 barrels during last year. If there had been no importation of the refined products, we would have drawn another 56,000,000 barrels from the surplus storage of the oil during the year.

They tell us that a tariff or a restriction on imports impair our export trade. The truth is that in 1929, exclusive of our trade with Mexico, Canada, and from the Pacific coast, the figures on crude are as follows:

We exported 2,900,907 barrels while we imported 78,872,017 barrels. In other words, we imported twenty-six times as much as we exported. The gasoline for the same time is more favorable, exports being 75,000,000 as against 29,000,000 imports. In 1930 gasoline imports increased 117 per cent, almost equaling that of the exports. There is no just reason to say that our imports would in the least be impaired since the same market will still be open to those willing to compete in it. As a matter of fact, our export market has gone to Russia. These facts are given to us by Congressman FISH, of New York, who participated in investigation last year. Russian sales abroad, if I recall his statement correctly, was 560,000 barrels. He further tells us that that amount will increase this year 50 per cent; that within two years Russia will be able to take from us all of our export trade. Russia is now selling gasoline in the United States at less than 4 cents per gallon.

If eggs are selling at 50 cents per dozen in a given town and some industrious commission agent from Podunk offers the merchants of that town eggs at 20 cents per dozen it is not necessary that a single dozen be sold in order that the price be reduced at the given place; the fact that they are available at 20 cents fixes the price. It is, therefore, immaterial whether our imports are 10 per cent of our production, as Secretary Wilbur says they are, or 15 per cent, as they actually are. By the use of this club (the importation of oil) the majors have whipped our markets to an extreme low level. If a given figure can be fixed that we may know the peak of importation our market can be regulated. These conditions probably would not be true were it not for the fact that the Standard groups, the Dutch Shell, and the Gulf companies control so much of our oil from the wells to the bowsers. They control the major output of the wells, practically all of the pipe-line transportation, a great part of the refiners, and recently 95 per cent of the filling stations.

Until as late as a year ago 85 per cent of the gasoline was sold through independently owned filling stations. Now less than 5 per cent is so marketed. The major companies, the Gulf leading the way, while allowing independent dealers only 3 cents a gallon margin, issued courtesy cards to all people whose credit was good. Holders of these cards could go to the major companies' stations and buy on a charge account gasoline at 2 cents less than its cash price, thereby taking the retail business. The only relief for the independent station operator was to dispose of his independently owned equipment, borrow equipment from the major companies, and sell their gasoline and receive his 3 cents per gallon profit. As a result of these tactics all filling stations out of reach of the trucks of the independent refiners handle only Standard group and Shell gasoline, and spelling destruction to the independent refiner. The destruction of the independent refiner is destroying the independent operator's market by elimination of competition.

These major companies and the Russian Government have sold some gasoline at below 4 cents a gallon. While they do not make a practice of selling it that way, like the eggs, it is available and the independent refiners have been forced to meet it.

The price of gasoline is fixed by the major companies without regard to the price of crude. To illustrate this point let's select the years 1926 and 1929. In February, 1926, the price of mid-continent crude oil was $2.05 a barrel and in February, 1929, it was $1.20 a barrel. In 52 cities, selected at random and widely scattered throughout the United States, the price of gasoline averaged 18.09 cents per gallon in February, 1926, and 18.39 cents a gallon in February, 1929.

Furthermore, in 1926, the refineries of the United States recovered an average of 36 per cent gasoline from the average barrel of crude oil run to stills, and in 1929 the average recovery was 44 per cent. This means that in February, 1926, the refineries got 15.12 gallons of gasoline out of a barrel of crude that cost them $2.04, while in February, 1929, they got 18.39 gallons of gasoline out of a barrel that cost them $1.20.

If the price of crude oil had governed the price of gasoline then, the average price of gasoline in these 52 cities in February, 1929, should have been 10.6 cents a gallon instead of 18.39 cents.

During 1930 there was exported from Peru several million barrels of oil. It had an oversupply. There is no independent competition in Peru. Standard of New Jersey handles the trade. From the report of the Bureau of Mines we find that while Peru was importing into Canada and into the United States in competition with the 4-cent wholesale price of gasoline they were selling it in Lima, the capital of Peru, at 40 cents per gallon. During the same time in Colombia, at 60 cents, there was no independent competition there.

During 1929 the East Indies produced 43,000,000 barrels of oil. There was a surplus. Gasoline in that country during that year sold at 36 to 42 cents per gallon. There was no independent competition.

In 1929 Persia produced over 45,000,000 barrels, operating a refinery of over 100,000 barrels a day capacity. That was a tremendous overproduction in Persia. There is no independent competition in Persia, gasoline sold in bulk at 50 cents per gallon.

Some foreign countries have an import duty of 6 cents, 10 cents, and 14 cents per gallon in gasoline equivalent to $1.40 to $4.20 per barrel, and in spite of these import duties—that we ought to have—the highest prices paid for gasoline was in Persia, where it sold as high as 51 cents per gallon in bulk. There is no import duty in Persia. It is therefore safe to say a tariff on oil or its by-products or the restriction of the amount of imports would neither affect the price of gasoline to the consumer. On the other hand, it is positive proof that the elimination of the independent producer and the independent refiner will materially affect the price.

Referring, further, to the subject of conservation, we have this to say: With billions of barrels of known reserves of well oil—staggering billions of barrels of potential shale oil—and, by hydrogenation, untold billions of barrels from our "thousand-year reserve" of coal; with all of this oil at our finger tips to-day and at our children's finger tips to-morrow, if at that time they need this particular kind of power; with all of this at our command, on demand, why not confine our efforts more largely to the development of our own resources rather than following the plausible and engaging fallacy of "hoarding at home and draining abroad," and thereby robbing our own domestic industry of the profits to which it is so richly entitled?

A sufficient tariff on oil or a restriction on its importation and its by-products would within a short time cure at least a part of our ills. Is it not our duty, and is it not yours, to uphold the American standard of living, the American prosperity? Build a wall about our people, make them secure in their homes and their business; make them safe from the peonage now so near to them. Do the thing that will reinstate these unemployed; that will establish trading between them; that will fix the normal exchange of letters of credit. Remove our destitute families from their tents or crowded home condition into the vacant apartments and houses, allow them to reestablish their buying power and thereby relieve the textile, steel mills, manufacturers, railroads, merchants, ranchers, woolgrowers, and the farmer. When you have done this, you will likewise put this basic industry where it belongs and will have saved for the thousands engaged in the business their property for which they have spent their lives and their life savings.

Very truly yours,

T. F. HUNTER.

THE UNITED STATES FLAG

Mr. COPELAND presented a letter from Mrs. Edward N. (Helen P.) Jackson, chairman on legislation, etc., Cayuga Chapter, No. 132, Daughters of the American Revolution, of Ithaca, N. Y., which, with the accompanying resolution, was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

ITHACA, N. Y., *January 19, 1931.*

Hon. ROYAL S. COPELAND,
New York State Senator, Washington, D. C.

DEAR SIR: It has been brought to the attention of Cayuga Chapter, No. 132, Daughters of the American Revolution, at Ithaca, N. Y., through the activities of the communist camp for young children (mostly from New York City) held near by at Van Etten during the past summer, that there is no proper Federal law regarding the desecration and proper use of our flag.

So we beg to submit to your notice a resolution adopted at the last regular meeting of our chapter, a certified copy of which I inclose.

We would appreciate such action in the matter as you may deem proper.

Yours truly,

MRS. EDWARD N. (HELEN P.) JACKSON,
Chairman Legislation in United States Congress,
Cayuga Chapter, Daughters of the American Revolution.

Whereas it has come to the attention of the Cayuga Chapter, No. 132, Daughters of the American Revolution, located at Ithaca, Tompkins County, N. Y., that there is no statute of the United

States of America governing the display and use of the flag of the United States of America at camps of public instruction and relating to desecration of such flag.

Resolved, That Cayuga Chapter, No. 132, of the Daughters of the American Revolution petition Congress to pass a law providing as follows:

First. It shall be the duty of the directors or persons in charge of every camp of instruction maintained at any time in the United States of America to display a flag of the United States of America upon or near said camp from sunrise to sunset, and when displayed with another flag or pennant on the same halyard, the flag of the United States of America shall always be at peak.

Second. Any flag, standard, colors, shield, or ensign[1] of the United States of America shall not be publicly mutilated, defaced, defiled or defied, trampled upon, or treated with contempt either by words or act by any person.

Any person violating either of the foregoing provisions shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding $100, or by imprisonment for not more than 30 days, or both, in the discretion of the court.

Resolved, That copies of this resolution be sent to the Congressman and the United States Senator from this district.

I, Edith C. Ward, secretary of Cayuga Chapter, No. 132, Daughters of the American Revolution, do hereby certify that the foregoing is a true copy of a resolution adopted at a regular meeting of said chapter, held in the city of Ithaca on ———, 1930, and the whole of the same.

EDITH C. WARD,
Secretary Cayuga Chapter, No. 132,
Daughters of the American Revolution.

ITHACA, N. Y., *January 17, 1931.*

EXTENSION OF NATIONAL PARKS

Mr. KENDRICK. Mr. President, I have before me a resolution passed by the Izaak Walton League, of Casper, Wyo. This resolution expresses clearly and accurately the attitude of the people of Wyoming in connection with the wild game of the State and the ability of the State to protect the same. It also indicates unmistakably the opposition of the people of Wyoming to any further park extension in our State. For these reasons I send the resolution to the desk and ask that it be read by the Secretary and appropriately referred.

The VICE PRESIDENT. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

Whereas the wild life of Wyoming has become one of the most valuable assets of our State; and

Whereas Wyoming has provided closed seasons, closed areas, game preserves, adequate range, and winter feed to maintain its game animals at or near their safety limit, and has by sane administration increased certain species of its game animals to the first rank among the several States; and

Whereas a large portion of our elk, moose, bighorn sheep, and bear have their natural habitat in that portion of Wyoming lying south and east of our two national parks, and their winter range and feed grounds in and around Jacksons Hole Valley; and

Whereas it has been proposed by certain nonresidents individuals, corporations, the National Park Service, and a few residents of Wyoming that a large portion of this State, constituting the summer range and winter feeding grounds of many of our elk and moose, be added to and made a part of Teton and Yellowstone National Parks, thereby depriving the State of Wyoming forever of its ownership, control, administration, and beneficial use and enjoyment of these animals and wresting from our State all jurisdiction over this vast area of ranch and forest lands to the irreparable loss to our people; and

Whereas the ownership of these various animals has been acknowledged and declared to vest and be held by the State of Wyoming, and it is essential that this ownership include the protection, control, use, and enjoyment of this great natural asset; and

Whereas we have the utmost trust, confidence, and belief in the ability of the State of Wyoming and its legally constituted authorities to enact and enforce such laws and regulations as will safeguard and guarantee the future welfare and integrity of our wild life; and

Whereas this right of ownership and power of control has been given and maintained in every other State: Now, be it

Resolved, That the Casper Chapter of the Izaak Walton League of America, in regular session assembled, is unanimously and unequivocally opposed to any and all further extensions of the present boundaries of any and all national parks in the State of Wyoming, or to the creation of any new national park therein; and be it further

Resolved, That we consider this attempt to acquire this vast area of Wyoming, and the control of our wild life an unwarranted and arbitrary transgression upon the property and the rights of our State, unprecedented in the history of our country, and a prejudiced and unwarranted reflection upon the integrity and ability of Wyoming to administer its own internal affairs; and be it further

Resolved, That we approve and commend the competent and able manner in which our wild life has been saved down through the past years under the cooperative administration of the State, the United States Forest Service, and the Biological Survey and submit that the continuance of such program is the only logical, equitable, and rational control our wild life needs to guarantee its continuance in abundance for all time to come; and be it further

Resolved, That a copy of this resolution be spread upon the minutes of this chapter and that copies thereof be mailed to Gov. Frank C. Emerson, United States Senators JOHN B. KENDRICK and ROBERT D. CAREY, and our Congressman, VINCENT CARTER, and such other officials as the resolutions committee may deem advisable.

The above resolution was unanimously adopted by Casper Chapter, Izaac Walton League of America, at its regular meeting November 11, 1930, at Casper, Natrona County, Wyo.

HERBERT L. HARVEY,
THOS. D. JOHNSON,
CLIFFORD A. MILLER,
Committee on Resolutions.

The VICE PRESIDENT. The resolution will be referred to the Committee on Public Lands and Surveys.

TARIFF DUTY ON OIL

Mr. THOMAS of Oklahoma. I present a concurrent resolution adopted by the Legislature of the State of Oklahoma memorializing Congress to enact a tariff on oil and its refined products, which I ask to have printed in the RECORD and referred to the Committee on Finance.

The memorial was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

House Concurrent Resolution No. 2 (by Logan)

A resolution memorializing Congress to enact a tariff on oil and its refined products and to provide further relief for the oil industry

Whereas business of practically every kind, not only in the State of Oklahoma but throughout the entire country, has been directly affected by the depressed condition of the oil industry, and especially during recent months; and

Whereas the unrestrained and excessive importation of foreign oils is the principal cause of the industry's present plight, especially in the State of Oklahoma; and

Whereas it is estimated that in Oklahoma in 1930 the total income from the production of crude oil was at least $50,000,000 lower than it would have been under a proper oil tariff; and

Whereas the annual royalty income, the bulk of which is paid to the farmers, is reduced in Oklahoma by several million dollars; and

Whereas Oklahoma's gross production tax from 1930 operations will be lowered at least $2,000,000; and

Whereas banking, transportation, manufacturing, and practically every other type of business has been adversely affected by the present depressed condition of the oil industry;

Whereas the general unemployment situation has been very materially aggravated by the thousands of oil field and oil office workers turned out of employment because of this glutting of our markets by cheaply produced foreign oils imported duty free: Now, therefore, be it

Resolved by the House of Representatives of the State of Oklahoma (the Senate concurring therein), That the Congress of the United States be, and it is hereby, memorialized to afford relief to the distressed oil industry and, through that great industry, to the Nation generally by immediately placing an embargo on imported petroleum and its refined products, and follow this action by an adequate protective tariff on said commodities, and by applying such further legislative relief as is necessary and proper; be it further

Resolved, That copies of this resolution be sent to the presiding officers of the legislative bodies of the other oil-producing States, with the request that they transmit similar memorials to Congress, and that copies be transmitted to the United States Senators and Congressmen representing the State of Oklahoma.

Adopted by the house of representatives this the 9th day of January, 1931.

CARLTON WEAVERS,
Speaker of the House of Representatives.

Adopted by the senate this the 13th day of January, 1931.

ROBERT BURNS,
President of the Senate.

UNEMPLOYMENT IN ILLINOIS

Mr. GLENN. Mr. President, I send to the desk two papers, one being a letter from Hon. George F. Getz, general

[1] The words "flag, standard, colors, shield, or ensign," as used herein, shall include any flag, standard, colors, shield, ensign, or any picture or representation of either, or of any part or parts of either, made of any substance or represented on any substance, of any size evidently purporting to be either of said flag, standard, colors, shield, or ensign of the United States of America or a picture or a representation of either, upon which shall be shown the colors, the stars, and the stripes, in any number of either thereof, or of any part or parts of either, by which the average person seeing the same without deliberation may believe the same to represent the flag, colors, standard, shield, or ensign of the United States of America.

chairman of the Governor's Commission on Unemployment and Relief in the State of Illinois, and the report referred to in that letter. I ask that the letter itself be read and that the report be inserted in the RECORD following the letter.

There being no objection, the letter and report were referred to the Committee on Education and Labor, and the letter was read, as follows:

GOVERNOR'S COMMISSION ON UNEMPLOYMENT AND RELIEF,
Chicago, Ill., January 2, 1931.

Hon. OTIS GLENN,
United States Senate, Washington, D. C.

MY DEAR SENATOR GLENN: This is in response to your letter of December 18 requesting information regarding the conditions relative to unemployment and relief in Chicago and Illinois. Inclosed we are pleased to attach a report of the Governor's Commission on Unemployment and Relief.

It should be interesting that the commission is organized as state-wide in scope, that each community is expected to meet its own problems on unemployment, in so far as it is able, the county being the unit; the needs of each community should be met through the existing industrial employment and relief agencies already in existence, properly coordinated and centralized. In case additional funds are needed by these agencies, a special campaign to raise these funds in the community should be set up; the commission itself shall not operate directly any services, but shall coordinate, stimulate, and do all it can to see that the services are properly set up and administered.

To carry out the above-stated policy, the commission has operated through an emergency relief campaign committee in Chicago and Cook County, which is raising a fund of $5,000,000, of which $3,000,000 is now on hand to supplement the finances of relief and employment agencies in this community to care for those in distress. For communities outside of Chicago and Cook County the state-wide committee of the commission has done splendid work in advising the various counties and cities of Illinois in setting up their machinery to meet their needs.

It might be helpful if the report herewith attached and this covering letter could be made a matter of congressional record as suggestive to other States and communities in case reference to the report might be considered valuable and helpful.

Trusting this information will be of some service to you, and thanking you for your interest, I am,

Yours very truly,

GEO. F. GETZ, *General Chairman.*

The VICE PRESIDENT. The report will be printed in the RECORD, as requested.

The report is as follows:

THE GOVERNOR'S COMMISSION ON UNEMPLOYMENT AND RELIEF,
STATE OF ILLINOIS

On October 13, 1930, Governor Emmerson called a preliminary conference of representatives of business, labor, and welfare agencies for the purpose of considering the unemployment situation. At this conference it was voted to ask the governor to appoint a commission to take up the problems arising out of the unemployment crisis. The governor proceeded to appoint some 50 persons representative of all interests. Those appointed met for organization purposes October 20, 1930. Mr. George F. Getz was made general chairman, with Gov. Louis L. Emmerson as honorary chairman, and Dr. B. M. Squires executive secretary. The organization was named the Governor's Commission on Unemployment and Relief and proceeded at once to organize into committees. The first committees named were the executive committee, under the chairmanship of Mr. James Keeley; the statewide activities committee, under Mr. Wayne Hummer; the housing committee, under Mr. Lewis E. Myers; the relief committee, under Mr. Edward L. Ryerson, jr.; the church committee, under Mr. George W. Dixon; the unemployment committee, under Mr. Britton I. Budd; and the finance committee, under Mr. George Woodruff. Subsequently the following committees were named and additional members added to the commission: Indorsement committee, under Mr. C. S. Pellett; athletic committee, under Gen. John V. Clinnin; budget and allocation committee, under Mr. Edward L. Ryerson, jr.; industrial loan committee, under Mr. Willoughby G. Walling; the special work fund committee, under Mr. Samuel Insull, jr.; the women's activities committee, under Mrs. Kellogg Fairbank; the county relief committee, under Mr. Ferris F. Laune; and the Cook County emergency relief campaign committee, under Mr. Philip R. Clarke. Certain subcommittees dealing with coal, milk, and bread were created as the need arose.

The commission has served as a coordinating and supervisory organization, relying on existing agencies or agencies set up for the purpose to carry on the work of relief and rehabilitation. The commission has operated without overhead—rent, furniture, supplies, telephone service, and all personal service being donated. The work of the several committees follows:

COOK COUNTY EMERGENCY RELIEF CAMPAIGN COMMITTTEE

The commission early decided that it would be necessary to supplement the funds of existing agencies and raise emergency funds to relieve the distress resulting from the acute unemployment situation. The sum estimated for Cook County was $5,000,000, of which $1,000,000 was to be used for special work and the balance to supplement the work of established agencies. The chairman of the Cook County Emergency Relief Campaign Committee, commenting on the work of the committee, states: "The canvassing organization that has been assembled is unquestionably the most intensive campaign machinery that has existed in Chicago since the Liberty loans were sold. Furthermore, the pay-day deduction system is spreading the appeal to a much greater number of contributors than is being done in any other metropolitan area."

The raising of the emergency relief fund rests chiefly with the trades division. The work of this division is supplemented by that of individual gifts and special activities. The trades division, operating through 26 committees, each representing a group of related industries, solicits subscriptions of all firms or corporations in the respective groups and also the subscriptions of the officers and employees of such concerns. The individual gifts division solicits individual subscriptions which can not be secured through the trades division. The special activities division handles all subscriptions from societies and organizations reached as groups and all income from entertainments, athletics, and other special activities.

In brief, the trades division solicits voluntary pledges of one day's pay per month from all employees for a period of six months and contributions from corporations. The payment of pledges is to be in four equal installments, 25 per cent with the pledge and 25 per cent on each of the following dates, January 10, February 10, and March 10, 1931.

To date the amount pledged to the committee approximates $3,000,000.

UNEMPLOYMENT COMMITTEE

The unemployment committee of the governor's commission on unemployment and relief undertook as its first task the registration of the unemployed. Through the cooperation of Mr. L. E. Myers, president of the board of education, the teachers of the schools made a systematic and orderly record of approximately 132,000 persons, 45,000 of whom indicated the need of immediate relief. To date 22,000 of those needing relief have been distributed among the organized charities. It is worthy of note, however, that very few of the organized trades registered, and it is estimated that 120,000 of these men are also out of work. The cards have been classified as to occupation and turned over to the Illinois free employment office under the direction of Superintendent John Keane. The governor's commission is furnishing such help as is needed by Mr. Keane to assist in interviewing and placement.

An effort has been made to interest employers in beginning work now on building and other construction which would ordinarily be undertaken in the spring of 1931. Some success has attended this effort. All employers in the State have been circularized and urged to reemploy workers on a short-week basis if necessary and to provide additional jobs at cleaning and repairing. The practice of working short time instead of laying off is quite generally followed in the State. The authorized work covered by bond issues of the local governmental bodies is being followed and an endeavor is being made to get these projects started at the earliest possible date.

A definite program for making personal calls upon leading business executives has been worked out through the cooperation of the Industrial Relations Association with the commission's unemployment committee. The association's membership is made up of personnel and employment experts of the large industries of Chicago. A number of these men have been equipped with the necessary information about unemployment conditions, and through letters of introduction are calling upon the heads of companies in Chicago for the purpose of obtaining help and suggestions for solving the present unemployment problem and urging the reemployment of workers laid off. The committee feels that these experienced men, who have full knowledge of what is being done by some concerns, by making personal calls on the heads of leading companies for help and suggestions, will accomplish a great deal in the solution of the problem.

SPECIAL WORK FUND COMMITTEE

The special work fund of the commission is operated under the following principles laid down by the executive committee:

People employed will be family men without funds and who are residents of Chicago. All these facts will be verified by some social agency before men are placed at work.

The work obtained in every case will be additional, so that no regular employee will be displaced. It will also be part time, so that the people working will have some of their time to look for a regular job. It will also be at the regular hourly wage scale for the work done.

So far as total amount earned is concerned, the plan is to have each person work at the hourly wage scale, but to limit the time so that the average amount earned will be in the neighborhood of $50 per month.

To date a total of $260,000 has been appropriated for the special work fund of which $200,000 has been expended. Approximately 4,200 heads of families referred to the special work division, Illinois Free Employment Service, have been put to work with public, municipal, and social agencies in Cook County, the funds for their wages being provided out of the work fund.

These heads of families have been taken from an accredited list furnished and verified by recognized agencies.

This committee would not have been able to accomplish its work heretofore were it not for the hearty cooperation of State, park board, county, and city officials, and of representatives of organized labor.

RELIEF AND BUDGET COMMITTEES

The first problem of the relief committee was to secure in this emergency adequate coordination of all charitable agencies qualified to assist in relief work. The Chicago Association of Commerce indorses a list of some 280 different organizations, and through the council of social agencies the work of most of these organizations has already reached a high degree of effective coordination. It was decided that the relief committee of the governor's commission would not undertake to establish any new agencies or new machinery, but would conduct its activities entirely through such of the above-indicated organizations as the emergency might require. It was determined further that all organizations receiving any aid or support from the governor's commission must clear their cases through the social-service exchange of the Chicago Council of Social Agencies to avoid duplication.

It was decided to call upon all agencies to assume full responsibility for maintaining their normal activities and to urge regular contributors to continue their support of these agencies. The committee then entered into a working agreement with leading family relief agencies and housing and shelter agencies, whereby it assumed responsibility, so far as funds contributed to the commission would permit, to pay the actual cost of relief and shelter overload. In the case of relief agencies the committee agreed to be responsible for 100 per cent increase, and in the case of shelter agencies to assume full responsibility for the cost of maintaining new shelters which had to be established. The above involved an estimated obligation to March 31, 1931, of approximately $1,300,000.

As an additional measure of relief it was decided to establish a special work fund, under which men, heads of families, residents of Chicago, might be employed in doing public and semi-public work which otherwise would not be done, such persons to be recommended to the fund by family-relief agencies. An additional $1,000,000 was set aside for this purpose.

The women's division undertook early in December a general campaign for contributions of clothing. More than 150 van-truck loads were contributed. Effective distribution of this clothing to needy families threw upon the relief committee a heavy burden. With the timely and effective aid of the committee on clothing distribution this work has now been organized on an efficient basis, all clothing being distributed from a central warehouse on requisition of family relief agencies.

The question of providing aid to needy families in Cook County outside of Chicago also presented difficulties. A committee on county relief was organized, which is now doing effective work in organizing local resources in the various communities through which some aid from our general fund may be provided as necessary. This committee also urged upon the board of county commissioners the extension of public aid through township overseers and the Cook County Bureau of Public Welfare, with the result that the county, in spite of financial handicaps, continues to carry its share of the relief load in all parts of the county.

Many families were found to be suffering because of shortage of fuel. Through cooperation of the coal dealers' association a special coal committee has been organized and a fund provided to pay for coal on orders issued by family-relief agencies. This committee is now equipped to promptly deliver on a few hours' notice and to pay for more than 2,000 coal orders per month.

A special milk fund has been established which is used to purchase milk tickets to be distributed to families through family-relief agencies. This fund is now providing more than 2,000 quarts of milk daily.

In an effort to provide emergency aid in cases of special distress in congested neighborhoods, emergency relief funds have been placed in the hands of head residents of 30 social settlements and neighborhood houses. These funds are used to provide fuel, food, medicine, car fare, or other incidentals until the families in need can be regularly and more fully provided for through the family-relief organizations.

Public schools reported many children suffering because of shortage of food and clothing. In order to provide the latter, the commission has made appropriations to be used by the School Children's Aid Society. It is estimated that at least $60,000 will be needed for the purchase of shoes alone through this organization, which will also distribute from its regular and special fund probably not less than $100,000 of new clothing to school children.

For the provision of food the commission is giving aid to extend school lunch funds, some of which have been regularly established in the public schools in the past. These activities will be enlarged and school lunch centers will be opened in many additional schools. A special bread committee, representing local bakers, has been organized, which will provide bread without cost to the commission for these school lunches. The bread committee is also providing bread for use at settlement houses and some churches, which supply free meals to unemployed in their neighborhoods.

The health problem presented in a report by the council of social agencies has been considered by the relief committee. Fortunately no epidemics or unusual amount of illness have appeared, although hospitals and dispensaries are being called upon to furnish a large increase in free service. The relief committee has asked the county to provide 700 additional free beds in the county hospital, and the commission will probably undertake soon to pay the cost of overload free care in charitable dispensaries and hospitals. The amount of money now indicated as necessary for this purpose is $150,000.

Other problems are still ahead, including the care of children, extension of facilities of settlement houses, boys' clubs, and other neighborhood centers to provide places of warmth for needy people on the streets, additional provision for the care of elderly people made homeless in this emergency, and perhaps additional measures for providing food and shelter to homeless families.

It was noted above that the commission had provided for an increased overload in family relief of 100 per cent. It is now apparent that this will be sorely insufficient. One of the large family-relief organizations is already carrying an overload approaching 200 per cent increase, and the commission is undertaking to supply the funds necessary for this purpose. A total fund of $5,000,000 is sought, and it is apparent that all of this will be seriously needed.

HOUSING COMMITTEE

The first step taken following the appointment of this committee was to make a careful survey of all organizations functioning in the interest of homeless men and women in Chicago. This survey revealed existing accommodations for housing and feeding homeless men and women among all organizations, the possibilities of increased accommodations in established institutions, the operating plan of each, their budget requirements, and other helpful information.

Following this survey the heads of all these organizations were invited to meet with the housing committee. This meeting resulted in an agreement on the part of all concerned covering a coordinating and cooperative program of activity which included arrangements for increased accommodation, elimination of duplication, and the maximum individual case work possible among the inmates of these institutions.

Clearing houses for both men's and women's organizations were immediately created with a director and staff of workers in charge of each. The men's clearing house is located at 172 West Polk Street and is now coordinating the work of 13 shelters having a capacity of 10,000 men for housing and 15,000 for feeding. Of these 13 shelters, 6 are emergency, opened for the purpose, and 7 are established shelters enlarged and rehabilitated. The women's clearing house, located in the loop Young Women's Christian Association Building, has 17 organizations cooperating.

Tickets directing the homeless to clearing centers have been distributed freely to police, clubs, and organizations. The press has advertised the arrangement generously.

A registration system which includes an adequate case record of all men and women receiving assistance is maintained in these respective clearing houses. Experienced welfare workers are doing their utmost to go beyond merely caring for the temporary needs of those under their care, by finding them employment, returning them to out-of-town residences in cases where they have such, and otherwise contributing to their rehabilitation.

In order to avoid unsatisfactory standards of sanitation and living conditions and thus protect the health of the men, each institution is visited periodically by a representative of the housing committee for the purpose of investigation. Standard requirements include fumigation, bathing facilities, proper heating and ventilation, and care against overcrowding.

The housing of women is taken care of in permanent institutions. These institutions operate under very satisfactory conditions and have adequate facilities to meet the need.

Since October 15, the men's organizations cooperating with the housing committee have provided 350,084 free nights lodging and 382,021 free meals. There are 17 organizations working with the women's clearing house. One thousand four hundred and twenty-nine girls have registered and received assistance at the women's clearing house to date.

One of the latest developments of the housing committee has been the creation of a subcommittee to take care of housing particularly among colored men and women. This committee is functioning effectively, and one shelter for men and another for women have already been established. Others will be opened as it becomes necessary to meet the need.

The housing committee has at this time six vacant buildings at its disposal to use as temporary shelters as the need arises. In addition to these buildings the State armories of the city have been placed at our disposal through the courtesy of Governor Emmerson. These armories will not be used except in an extreme emergency, but it is comforting to know that they are available should the need arise.

The amount appropriated for housing and shelter to date is $250,000 to carry on until April 1, 1931, but this amount will not be adequate.

One of the most valuable types of assistance that the housing committee has received has been the placing at our disposal of cots, blankets, and other equipment of the sixth Army area corps headquarters of the United States Army. Through the personal effort of Gen. Enoch H. Crowder, President Hoover, the Secretary of War, and Gen. Frank Parker there has been much cooperation in making it possible for this equipment to be placed at our disposal and many thousands of dollars of public funds as well as much trouble and anxiety have been saved as a result.

WOMEN'S ACTIVITIES COMMITTEE

One of the most urgent needs faced was that of clothing for adults and children. Many children were being kept out of school because of insufficient clothing. In considering this need it was thought that women were best qualified to carry on the work. Accordingly a committee was formed of approximately 150 prominent women of Chicago. To this committee was given the task of collecting and rehabilitating clothing. The committee organized

30 wards for a house-to-house canvass and organized the north and west suburban towns. The parent-teachers' association agreed to man the receiving stations. The Boy Scouts were enlisted to distribute dodgers announcing the drive. School children were instructed to bring used clothing. Half a million slips urging the donation of clothing were printed by the school board and distributed to the children. A special effort was made to collect clothing from hotels and clubs. The churches announced the drive from the pulpits and served as collection stations. A drive for new clothes was instituted and 600 firms solicited, resulting in many new garments. Stores installed bargain counters, where clothing could be bought by any shopper at greatly reduced prices, and turned over to the committee for distribution. Over 6,000 new garments have been bought at these counters. All old clothing is cleaned and washed free of charge by the Chicago Master Cleaners and Dyers' Association and the Laundrymen's Association. A shoe-repair shop and a clothing-repair shop have been set up for rehabilitation of used clothing and shoes. All trucking has been free. Clothes are distributed from a central warehouse on requisition of recognized charitable agencies. On December 22 the following numbers of articles of clothing had been collected and made ready for distribution by the women's division:

New and repaired shoes	16,000
Women's and girls' coats and dresses (new and used)	12,000
Boys' and men's coats and suits	30,000
Men's shirts	15,000
Pairs of stockings	2,000
Ladies' hats	1,000
Men's hats and caps	1,500
Infants' garments	10,000
Men's, women's, and children's sweaters	18,000
Pairs of gloves and mittens	1,000
Blankets and quilts	1,000

STATE-WIDE ACTIVITIES COMMITTEE

All communities in Illinois with a population of 2,000 or over—234 in number—have been contacted. This number does not include Chicago.

Special committees on unemployment and relief have been organized in 151 communities, including all cities with a population of 5,000 or over.

In the remaining communities some state there is no unemployment and others say that existing organizations will care for needs.

The total number of unemployed reported from 137 cities is 41,197. The total population of these communities is 1,154,995. This is equivalent to 3½ per cent.

A county representative has been appointed by the governor in every county in the State. These county representatives have been untiring in their efforts to assist the commission, and as a result it has been possible to cover the entire State in a complete and efficient manner.

Data at this time are not sufficiently complete to state the amount of money raised in Illinois for relief purposes; however, the amount is a very substantial one, nearly all cities throughout the State having raised from $1,000 to $25,000. As a result, the number given family relief is very large.

In practically every community jobs have been provided for many unemployed, and as a result of the work of local committees thousands of men have been retained on pay rolls who otherwise would have been let go.

The cooperation received throughout the State by the commission from the county representatives, the chief executives of all communities, and all along the line has been remarkable and a cause for much encouragement and gratification.

CHURCH COMMITTEE

The committee on churches reports that the 1,600 churches of metropolitan Chicago are cooperating whole-heartedly with the governor's commission on unemployment and relief. Representatives of the various faiths make up the personnel of the church committee.

The giving of temporary and spiritual relief is a vital part of the regular program of every church. During the last three months the churches have been responding magnificently to the appeals due to unemployment and dire need among their own membership. Many churches in the most needy districts of Chicago have found the burden overwhelming, and in such cases denominational funds have been raised to meet the emergency. A few interesting facts and specific cases will indicate how the churches are attempting to meet the emergency.

Hundreds of sermons have been preached from pulpits, stressing the dire need and urging cooperation in raising the $5,000,000 relief fund. Scores of churches have collected food and clothing—hundreds of families, members of churches, are being cared for direct by local churches, thus relieving pressure on the general fund—one church has been feeding and housing 250 men regularly—another church feeds 2,000 daily—another is providing for homeless and penniless women. Reports from the churches indicate that almost without exception their congregations are serving in similar ways. One church reports raising $1,000 for the governor's commission relief fund. Another church has raised $8,000 for denominational and indorsed charities. The widespread need and appeal is uniting the churches as never before for this service.

COOK COUNTY RELIEF COMMITTEE

In many districts of Cook County outside of Chicago social-service machinery adequate to the present emergency is lacking. While some of the county towns have qualified agencies, many of them have relief organizations which have in the past been conducted, for the most part, on a volunteer basis and were not qualified for handling the emergency problems that confronted them.

Many of the people resident in the county outside of Chicago have their work in Chicago and were solicited for a contribution in connection with the governor's $5,000,000 drive. The local committees felt that this fact hampered them in attempting to raise money to care for their own and in a number of cases have reported their inability to care for the local situation.

In a number of towns there has been appointed a mayor's committee on unemployment and relief which is attempting to handle the situation but which, in a number of instances, is not aware of local relief facilities already existing and qualified.

Two organizations which together cover fairly completely the entire county outside of Chicago have been asked to assume supervision of the relief work in the county. These organizations are the Chicago Tuberculosis Institute, which is actively engaged in the health and relief program of 24 communities, and the Cook County Bureau of Public Welfare, which is setting up a skeleton social service bureau to be financed by the governor's commission and which will cover that portion of the county not organized by the Chicago Tuberculosis Institute. It is expected that these two agencies working in close cooperation with all the local agencies and relief committees will be able to take care of the relief problems of the entire county.

The commission has promised communities outside of Chicago that a portion of the $5,000,000 fund will be available to assist these communities in meeting relief problems and some funds have already been allocated.

Arrangements are being perfected for sending out qualified persons to visit the local committees on relief and unemployment and other relief agencies, with a view of determining the financial integrity and their ability to efficiently and effectively handle relief funds. Upon the basis of this investigation allocations will be made by the budget committee as the need is demonstrated.

INDORSEMENT COMMITTEE

The commission found many voluntary agencies and groups springing up to provide shelter and relief and soliciting funds and supplies for this purpose. In order to coordinate all such activities and prevent waste of effort and energy an indorsement committee was appointed.

The indorsement committee has dealt with about 150 money-raising groups and projects.

It is the fixed policy of the indorsement committee to insist on having all relief activities clear through the social-service exchange. In this way every effort is being made to have these various plans coordinated with the work of the five major relief organizations which are being specially sponsored by the governor's commission on unemployment and relief. The five major relief organizations are as follows: United Charities, Jewish Charities, Catholic Charities, Salvation Army, and Red Cross.

There is evidenced a fine spirit of cooperation on the part of the established charities of the city with the work of the governor's commission. These agencies are carrying an enormous load during this present emergency, but they are meeting their responsibilities with a splendid spirit of courage and determination.

THE INDUSTRIAL LOAN FUNDS COMMITTEE

The need for loans to the unemployed was given early consideration. The loan funds committee worked out a plan for industrial and business concerns whereby they would make loans to laid-off workers who might otherwise become applicants for charity. This plan contemplated only those former employees who might reasonably expect to be reemployed with the return of more normal times. This plan was laid before the employers of the Chicago area and the committee has had reported to it numbers of instances in which concerns have adopted the plan or some modification thereof. The committee is also considering the organization of a loan fund for cases not covered by the above.

REPORTS OF COMMITTEES

Mr. WALCOTT, from the special committee on conservation of wild life resources, appointed under Senate Resolution 246, submitted a report pertaining to the conservation of wild animal life (No. 1329).

Mr. BLACK, from the Committee on Claims, to which was referred the bill (S. 5649) for the relief of the State of Alabama and certain former officers of the Alabama National Guard, reported it with amendments and submitted a report (No. 1331) thereon.

Mr. GOFF, from the Committee on Expenditures in the Executive Departments, to which was referred the bill (H. R. 12014) to permit payments for the operation of motor cycles and automobiles used for necessary travel on official business on a mileage basis in lieu of actual operating expenses reported it without amendment.

Mr. NYE, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 15008) to extend the south and east boundaries of the Mount Rainier National Park, in the State of Washington, and for other pur-

poses, reported it without amendment and submitted a report (No. 1332) thereon.

Mr. BINGHAM, from the Committee on Territories and Insular Affairs, to which was referred the bill (S. 5515) to amend section 29 of the act of August 29, 1916, entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands," reported it without amendment and submitted a report (No. 1333) thereon.

Mr. ODDIE, from the Committee on Mines and Mining, to which was referred the bill (S. 5220) authorizing the establishment of a mining experiment station of the Bureau of Mines at College Park, Md., reported it without amendment and submitted a report (No. 1334) thereon.

Mr. WHEELER, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 5439) to excuse certain persons from residence upon homestead lands during 1929 and 1930 in the drought-stricken areas, reported it without amendment and submitted a report (No. 1335) thereon.

Mr. McNARY, from the Committee on Agriculture and Forestry, to which were referred the following bills and joint resolutions, reported them severally without amendment and submitted reports thereon:

S. 4167. An act to make the regulations of the Secretary of Agriculture relating to fire trespass on the national forests applicable to lands the title to which revested in the United States by the act approved June 9, 1916 (39 Stat. 218), and to certain other lands known as the Coos Bay Wagon Road lands (Rept. No. 1336);

S. 4856. An act to authorize the Secretary of Agriculture to sell the Morton Nursery site, in the county of Cherry, State of Nebraska (Rept. No. 1337);

H. R. 252. An act to facilitate work of the Department of Agriculture in the Territory of Alaska (Rept. No. 1338);

S. J. Res. 212. Joint resolution to coordinate the fiscal business of the United States Department of Agriculture and the Alaska Game Commission in Alaska, and for other purposes (Rept. No. 1339); and

H. J. Res. 200. Joint resolution authorizing acceptance of a donation of land, buildings, and other improvements in Caddo Parish, near Shreveport, La. (Rept. No. 1340).

Mr. CAPPER, from the Committee on Agriculture and Forestry, to which was referred the joint resolution (S. J. Res. 210) to authorize the distribution of 40,000,000 bushels of surplus wheat for relief purposes, reported it with amendments and submitted a report (No. 1341) thereon.

Mr. DALE, from the Committee on Commerce, to which was referred the bill (H. R. 14681) granting the consent of Congress to the Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Co., its successors and assigns, to construct, maintain, and operate a railroad bridge across the Kankakee River, reported it without amendment and submitted a report (No. 1342) thereon.

ENROLLED BILLS PRESENTED

Mr. PARTRIDGE, from the Committee on Enrolled Bills, reported that on to-day that committee presented to the President of the United States enrolled bills of the following titles:

S. 3895. An act to authorize the Commissioners of the District of Columbia to widen Wisconsin Avenue abutting squares 1299, 1300, and 1935; and

S. 5036. An act to extend the time for completing the construction of a bridge across the Delaware River near Trenton, N. J.

REPORTS OF POSTAL NOMINATIONS

As in executive session,

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters, which were placed on the Executive Calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KEYES:

A bill (S. 5795) granting a pension to Louisa S. Richmond; to the Committee on Pensions.

By Mr. ODDIE:

A bill (S. 5796) for the relief of Laurinda Wines; to the Committee on Claims.

A bill (S. 5797) authorizing establishment of Boulder City town site, and necessary expenditures in connection therewith, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. GLENN:

A bill (S. 5798) to extend the times for commencing and completing the construction of a bridge across the Ohio River at Cairo, Ill.; to the Committee on Commerce.

By Mr. FRAZIER (by request):

A bill (S. 5799) authorizing the Secretary of the Interior to sell certain unused Indian cemetery reserves on the Kiowa Indian Reservation in Oklahoma, to provide funds for purchase of other suitable burial sites for the Wichita, Caddo, and Delaware Indians; to the Committee on Indian Affairs.

By Mr. JONES:

A bill (S. 5800) to add certain lands to the Columbia National Forest, in the State of Washington; to the Committee on Agriculture and Forestry.

A bill (S. 5801) authorizing the enlargement of the site for the immigration station at Seattle, Wash.; to the Committee on Public Buildings and Grounds.

By Mr. HALE:

A bill (S. 5802) granting an increase of pension to Amelia R. Johnson (with accompanying papers); to the Committee on Pensions.

By Mr. THOMAS of Oklahoma:

A bill (S. 5803) for the relief of George E. Casey; to the Committee on Claims.

A bill (S. 5804) granting a pension to Rose Wiedman; and

A bill (S. 5805) granting a pension to Charles W. Crippen; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 5806) granting an increase of pension to Sarah F. Lambing (with accompanying papers); to the Committee on Pensions.

By Mr. DALE:

A bill (S. 5807) granting an increase of pension to Cordelia Bodoin (with accompanying papers); to the Committee on Pensions.

By Mr. SHORTRIDGE:

A bill (S. 5808) to amend section 200 of the World War veterans' act, as amended; and

A bill (S. 5809) to amend section 19 of the World War veterans' act, 1924, as amended; to the Committee on Finance.

By Mr. McNARY:

A bill (S. 5810) to facilitate the use and occupancy of national-forest lands for purposes of residence, recreation, education, industry, and commerce; to the Committee on Agriculture and Forestry.

By Mr. NORBECK:

A bill (S. 5812) granting a pension to Brings Three White Horses (with accompanying papers); to the Committee on Pensions.

By Messrs. WALCOTT, HAWES, McNARY, NORBECK, and PITTMAN:

A bill (S. 5813) to provide for the consideration of wildlife conservation in connection with the construction of public works or improvement projects; to the Committee on Agriculture and Forestry.

By Mr. WALSH of Montana:

A bill (S. 5814) to provide for the issuance of permits for the construction of pipe lines for the importation into the United States of natural or artificial gas; to the Committee on Public Lands and Surveys.

By Mr. SCHALL:

A bill (S. 5815) for the relief of Maj. Richard K. Smith; to the Committee on Military Affairs.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL

Mr. COPELAND submitted an amendment intended to be proposed by him to House bill 15592, the first deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed:

On page 26, after line 9, insert the following:
"United States Military Academy: For repairs and alterations to buildings, roads, and electric, gas, water, and sewer systems, $1,465,000."

AMENDMENT TO WAR DEPARTMENT APPROPRIATION BILL

Mr. SHORTRIDGE submitted an amendment intended to be proposed by him to House bill 15593, the War Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 72, line 7, to strike out "$60,000,000" and insert in lieu thereof "$62,000,000, of which $2,000,000 shall be available for construction work on the breakwater extension for the protection of the outer harbors of Los Angeles and Long Beach, Calif."

REPORT OF WICKERSHAM COMMISSION ON PROHIBITION

Mr. TYDINGS. I ask unanimous consent out of order to submit a resolution. It consists only of two paragraphs, and I ask that it may be read from the desk. There will be no debate or comment on it, so far as I know.

The VICE PRESIDENT. Is there objection to the reading of the resolution? The Chair hears none.

The resolution (S. Res. 410) was read and ordered to lie over under the rule, as follows:

Whereas the confusion and the contradictions embodied in the report of the Wickersham commission on prohibition are puzzling to Members of the Congress who may be called on to enact legislation carrying out some of its recommendations: Therefore be it

Resolved, That the Judiciary Committee of the Senate be instructed to invite Chairman Wickersham to appear before it and to make a further statement, explaining the method by which the apparently contradictory conclusions and recommendations were arrived at, and also whether suggestions were received and acted on by the commission in framing its final report from authorities who were not members of the commission.

PROPOSED ADDITIONAL NATIONAL PARKS

Mr. NYE submitted the following resolution (S. Res. 413), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate Resolution No. 316, agreed to February 26, 1929, authorizing and directing the Committee on Public Lands and Surveys to investigate the advisability of establishing certain additional national parks and proposed boundary revisions of other national parks, and continued by Resolution No. 252 until the end of the present Congress, hereby is continued in full force and effect until the end of the Seventy-second Congress.

HOUSE BILL REFERRED

The bill (H. R. 12549) to amend and consolidate the acts respecting copyright and to permit the United States to enter the Convention of Berne for the Protection of Literary and Artistic Works was read twice by its title and referred to the Committee on Patents.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had agreed to the following concurrent resolution (H. Con. Res. 46), in which it requested the concurrence of the Senate:

Resolved by the House of Representatives (the Senate concurring), That there be printed 18,000 additional copies of House Document No. 722, Seventy-first Congress, being a message from the President of the United States transmitting a report of the National Commission on Law Observance and Enforcement relative to the facts as to enforcement, the benefits, and the abuses under prohibition laws of the United States, of which 12,000 copies shall be for the use of the House, 4,000 copies for the use of the Senate, 1,000 copies for the document room of the House, and 1,000 copies for the document room of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 3895. An act to authorize the Commissioners of the District of Columbia to widen Wisconsin Avenue abutting squares 1299, 1300, and 1935; and

S. 5036. An act to extend the time for completing the construction of a bridge across the Delaware River near Trenton, N. J.

PRINTING OF REPORT OF COMMISSION ON LAW ENFORCEMENT

The VICE PRESIDENT. The Chair lays before the Senate the Concurrent Resolution No. 46 of the House of Representatives, and calls the attention of the Senator from Michigan [Mr. VANDENBERG] to this resolution.

Mr. VANDENBERG. Mr. President, in the absence of the Senator from Minnesota [Mr. SHIPSTEAD], the chairman of the Committee on Printing, and at his request, I ask that the Senate concur in the resolution.

There being no objection, the concurrent resolution (H. Con. Res. 46) was considered and agreed to.

EXECUTIVE MESSAGES

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

MONUMENT TO MEMORY OF AUGUSTUS SAINT-GAUDENS (S. DOC. NO. 257)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Congress of the United States:

I commend to the favorable consideration of the Congress the inclosed report from the Secretary of State to the end that legislation may be enacted to authorize an appropriation of $4,000 as a contribution of the United States to the construction of a monument at Saint-Gaudens, France, to the memory of Augustus Saint-Gaudens.

HERBERT HOOVER.

THE WHITE HOUSE, *January 21, 1931.*

LIMITATION OF MANUFACTURE OF NARCOTIC DRUGS (S. DOC. NO. 256)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Congress of the United States:

I commend to the favorable consideration of the Congress the inclosed report from the Secretary of State to the end that legislation may be enacted to authorize the appropriation of $35,000, for the expenses of participation by the United States in the Conference on the Limitation of the Manufacture of Narcotic Drugs to be held at Geneva, Switzerland, on May 27, 1931.

HERBERT HOOVER.

THE WHITE HOUSE, *January 21, 1931.*

DEFINITION OF INTOXICATING BEVERAGES

Mr. BINGHAM. Mr. President, in connection with the message of the President of the United States received on yesterday and also in connection with Senate bill 4785, which is now before the Committee on Manufactures, I ask that there may be read from the desk a brief statement by Prof. Yandell Henderson, of Yale University, who is an authority on the health hazards from gases and volatile liquids.

The VICE PRESIDENT. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

[From the Yale Daily News, October 14, 1930]

INTOXICATING BEVERAGE DEFINED BY HENDERSON—PROMINENT PHYSIOLOGIST DISCUSSES LIQUORS OF ALCOHOLIC CONTENT FROM SCIENTIST'S VIEW—BEER, ALE NOT INTOXICATING

(The following article on A Scientific Definition of An Intoxicating Beverage was written especially for the News by Dr. Yandell Henderson, '95, professor of applied physiology in Yale University. Professor Henderson is an authority on the health hazards from gases and volatile liquids used in industry and ordinary life. The treatment for carbon monoxide asphyxia and other intoxications, including that by alcohol, as devised by Professor Henderson and Dr. H. W. Haggard, 1914S, is now used in all American and many foreign cities.)

The questions put to me by the representatives of the News are: What practically constitutes an intoxicating beverage? What would be a scientifically correct interpretation of the eighteenth amendment?

By an intoxicating beverage is properly to be understood one which contains such a percentage of alcohol that the amount of it which a person would consume, in its ordinary use, would induce either a marked temporary disturbance of physical condition and behavior or cumulative ill effects. Individuals differ widely in their susceptibility to alcohol, and the effect of a certain amount of alcohol on a given individual varies also according as it is taken before, with, or after a meal. The most important variable factor of all, however, is the length of time over which the consuming of a certain amount of the beverage, containing a definite amount of alcohol, is spread; and this, in its turn, depends largely upon the degree of dilution of the alcohol in water, of which all alcoholic beverages contain a high percentage. Dilution to a large extent determines the rate of digestion; otherwise beer containing only a half of 1 per cent, as is legal now, would be intoxicating.

No beverage which in common usage is drunk only in such amounts that not more than the equivalent of 80 cubic centimeters of absolute alcohol is absorbed into the blood in an hour can properly be denominated as intoxicating.

General experience shows that few persons care to drink 2 liters (half a gallon of beer) in an hour. Under this definition, therefore, beer containing 3 or 4 per cent of alcohol by volume is not intoxicating. A person who is accustomed to drinking beer does not become intoxicated, in the proper sense of the word, even if in each of several successive hours he drinks a liter of per cent beer. But beer or ale of a considerable higher alcoholic content verges on the intoxicating percentage.

A cordial of liquor, such as Curacoa or Benedictine, although it may contain 50 per cent of alcohol, is nonintoxicating, for in common practice, with negligibly rare exceptions, such beverages are consumed only in very small amounts. But whisky, gin, or rum having approximately the same alcoholic content, are frequently taken at a rate which results in the absorption into the blood within an hour of considerably more than 80 cubic centimeters of alcohol, the approximate amount necessary to intoxicate.

As regards wines running from 8 or 10 up to 15 or even 20 per cent of alcohol, champagne is virtually the only one in American usage that has sometimes been consumed in sufficient amounts within a short period, to produce intoxication. In actual practice, wines of good quality and correspondingly high price are very rarely consumed in such amounts during short periods. They can not, therefore, properly be defined as intoxicating.

In the foregoing statements the conception of "intoxication" is that employed in the sciences of physiology, pharmacology, and toxicology in respect to such substances as nicotine, morphine, carbon monoxide, caffein, bromides, and other substances with physiological effects. Small amounts of alcohol are comparable in the degree of their effects to those of the other two drugs commonly used, namely, nicotine (tobacco) and caffein (coffee). The effects of alcohol and caffein differ, in that alcohol tends to depress and caffein to intensify sensation, judgment, and the precision and force of muscular actions. A man may drive an automobile better for a cup of coffee, and worse for an equivalent amount of an alcoholic beverage. On the other hand, for many persons even a small amount of coffee prevents sleep and is otherwise distinctly harmful, while alcohol relaxes tired nerves and thus promotes general relaxation, rest, and natural sleep. While alcohol is a mild drug, nicotine is one of the most intensive poisons known; but if practiced reasonably, smoking affords for most persons merely a harmless, mildly sedative effect. Taken in moderation, alcohol is not more harmful than smoking or drinking coffee.

The teaching of physiology and toxicology in regard to the liquor question is that the definition of an intoxicating alcoholic beverage implied in the Volstead Act excludes from use beverages which are practically nonintoxicating. That act forces most persons who desire to consume alcohol at all to make use of those beverages, such as whisky, gin, and half-diluted crude alcohol, which are highly intoxicating. The final effect of the Volstead Act is thus almost directly the opposite of that which the eighteenth amendment was intended to attain.

Mr. BINGHAM. Mr. President, I should like to ask the Senator from Wisconsin [Mr. LA FOLLETTE], the chairman of the committee to which Senate bill 4785 has been referred, whether it is his intention to hold hearings in the near future on the question of whether a change from one-half of 1 per cent to 4 per cent in the Volstead Act would be advisable and whether it would be constitutional?

The VICE PRESIDENT. The question is not debatable.

Mr. McKELLAR. Mr. President, if we are going to have long letters read and then discuss them, I shall have to object and ask for the regular order, because I do not think we will get anywhere by reading long letters on the subject of prohibition.

The VICE PRESIDENT. Objection is made.

Mr. BINGHAM. Mr. President, it will take but a moment to have an answer to the question I have asked.

Mr. NORRIS. Why not refer the question to the commission which reported on yesterday?

The VICE PRESIDENT. The regular order has been called for.

Mr. LA FOLLETTE subsequently said: Mr. President, during the morning hour the Senator from Connecticut [Mr. BINGHAM] directed an inquiry to me, but I was not permitted to answer it, as the order of business would not permit debate. I will now answer the question then propounded to me by the Senator from Connecticut by saying that, of course, the question of whether the Committee on Manufactures will hold any hearings on the measure to which the Senator from Connecticut referred will be a matter for the committee itself to determine. As chairman of the Committee on Manufactures, with the pressure of other committee work, I have been up to this time unable to find a satisfactory hour for the meeting of the committee which would hold any prospect of developing a quorum. When I can secure a quorum of the committee, the question which has been raised by the Senator from Connecticut will be decided.

SUMMARY OF WICKERSHAM COMMISSION REPORT

Mr. BLAINE. Mr. President, I ask unanimous consent to have printed in the RECORD a condensed summary of the Wickersham report prepared by the International News Service. As the Senate will appreciate, the report of the commission is very lengthy and probably it will be read by very few people, while the condensed summary which I have asked to have printed in the RECORD gives the gist of the report in readable form and will constitute but a very small portion of the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. BLAINE. Mr. President, there may be some confusion on the part of the reporters as to exactly what I desire to have printed.

The VICE PRESIDENT. Debate on this question is not permitted except by unanimous consent.

Mr. BLAINE. I am not going to debate it.

The VICE PRESIDENT. Any remarks are considered as debate.

Mr. BLAINE. I am not going to make any remarks; I merely desire to complete my request.

The VICE PRESIDENT. Is there objection to the Senator explaining what he desires?

Mr. BLAINE. I have not made my request in full as yet.

The VICE PRESIDENT. The Senator will state it.

Mr. BLAINE. I request that all of pages 8 and 9 of the Washington Times, beginning on page 8, entitled "High Lights of Board's Report," be printed in the RECORD, except that portion of the two pages, which is not part of the text, and which I have designated by lead pencil erasures.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The condensed summary of the Wickersham report is as follows:

HIGHLIGHTS OF BOARD'S REPORT

OPPOSES BEER, WINES

Principal features of the report include:

1. The commission opposes all proposals to modify the Volstead law to permit beers and light wines, on the ground such action would be ineffectual in reaching the root of the problem.

2. The commission opposes the return of the saloon in any form.

3. It recommends that all restrictions upon the issuance of prescriptions by physicians be forthwith abolished.

4. It hits the rapidly growing grape-concentrate business by recommending that the anomalous provisions of section 29, of the Volstead Act, be removed, in order to put wine-making and beer-making in the home on the same basis.

Under the present interpretation of the law, it is legal to make wine in the home, but illegal to make beer.

TWO RECOMMEND REPEAL

5. Three members of the commission, Judge William S. Kenyon, Judge Paul J. McCormick, and Roscoe Pound, dean of Harvard Law School, suggest the desirability of submitting the repeal of the amendment to State constitutional conventions elected to consider the subject.

6. Two members of the commission, Newton D. Baker, ex-Secretary of War, and Monte H. Lemann, law professor at Tulane University, recommend the outright repeal of the eighteenth amendment.

7. Four members of the commission, Henry W. Anderson, Virginia lawyer; Ada L. Comstock, dean of Radcliffe College, the

only woman member; Frank J. Loesch, Chicago lawyer, and Dean Pound, propose revision of the amendment, so as to throw the whole question back upon Congress for determination.

FIVE ASK FURTHER TRIAL

8. Five members of the commission, Judges William I. Grubb, of Alabama; Kenyon, McIntosh, McCormick, and Chairman Wickersham, himself, recommend "further trial" of the existing prohibition set-up under the reforms and improvements instituted during the past three years, with the proviso that, if material improvement is not forthcoming after "a fair trial," then serious attention be given to revision of the amendment.

9. All of the members are of the opinion that the amendment should be repealed or revised rather than to permit it to sink into a state of nullification, such as has happened in the case of the fourteenth and fifteenth amendments.

10. All are agreed, too, that prohibition can not be enforced without the active cooperation of the States, and without a great deal more public support than has hitherto been given to it.

SAMPLE AMENDMENT

The commission went so far as to propose a sample amendment if and when it becomes advisable to knock out the existing eighteenth amendment.

"All the commission agreed," said the report, "that if the amendment is revised it should be made to read substantially as follows:

"'SECTION 1. The Congress shall have power to regulate or to prohibit the manufacture, traffic in, or transportation of intoxicating liquors within, the importation thereof into, and the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes.'"

The practical effect of such a substitute would be to throw the whole question back into the direct control of Congress.

Thus if a dry Congress elected to keep the country dry, it could do so by legislative enactment; conversely, if a wet Congress decided to permit the sale of liquor under strict Government supervision and regulation, it could also do so by mere legislative enactment.

PUBLIC WOULD RULE

The principal advantage to this scheme, as stressed by its indorsers, would be to remove a police statute from the Constitution, and afford a flexibility of control of the liquor question that would always reflect public opinion.

As pointed out by Colonel Anderson:

"Under the proposed amendment Congress would have full power (1) to continue the present system of absolute national prohibition, or (2) to remit the matter in whole or in part to the States, or (3) to adopt any system of effective control.

"Since greater flexibility is one of the outstanding needs of the present system, this modification should be made even if the policy of absolute national prohibition is to be continued."

LEMANN DOES NOT SIGN

The commission's report consisted of 12 parts—the main body which presented the recommendations and an appalling picture of present-day conditions, which was signed by 10 of the 11 members (all with reservations) and then 11 individual statements reflecting the views of the various members.

The only member who refrained from signing the report was Monte M. Lemann, the Tulane University law professor.

PASSING THE BUCK TO CONGRESS

M. M. Lemann points out, with some sarcasm, that the commission is "merely passing the buck" to Congress in sponsoring a revision of the eighteenth amendment which will enable it to legislate upon the subject, without at the same time outlining a program of what this legislation should be.

Even the strong drys on the commission denounced certain forms of enforcement methods which have been used recently.

Judge Kenyon says:

"Government lawlessness in law enforcement is an abhorent proposition. The fourth and fifth amendments to the Constitution safeguarding the rights of citizens are fully as important as the eighteenth amendment. 'Let the homes alone' should be the policy of enforcing officials, unless there is a clear showing that the home is being used as a place for the sale of liquor or the manufacture for sale."

At another point Judge Kenyon says:

"The profits in the unlawful making and vending of intoxicating liquors have been so enormous that the funds to invest in protection have been large, and the temptation to many men in the service on small salaries have been difficult to withstand.

"Evidence before us by those accurately acquainted with the workings of prohibition in the great cities shows that in many of them the supposed enforcement has been reeking with corruption, and has been a complete fiasco.

"The grand jury investigation at Philadelphia in 1928 disclosed that some of the police force were depositing more in the bank than their salaries amounted to. Bootleggers' accounts running up to $11,000,000 were deposited in a certain bank, and the officers of the bank testified that they did not know any of the parties so depositing.

"Witnesses have presented to us evidence showing that breweries have been operated in the heart of a great city, with the knowledge of prohibition agents, in some of which as much as $200,000 was invested in the plant."

ANDERSON'S PLAN

The plan of liquor control proposed by Henry W. Anderson and embodied in a supplemental report of the commission is based partly upon the system now used in Sweden, Canada, and other countries.

Briefly, it calls for the creation of a bipartisan national commission on liquor control, which should have full power to "regulate and control" the manufacture, importation, exportation, transportation in interstate commerce, and also the sale of intoxicating liquor, and also of industrial alcohol.

All of the stock in this commission is to be privately owned, and it should have the usual powers of a commercial corporation. This commission shall have the exclusive right and power to manufacture and sell liquor.

OPTIONAL WITH STATES

The national corporation should sell and transport only to State agencies created for the purpose of local distribution. This would be entirely optional with the State. If any State desired to establish or to continue prohibition, it could do so.

The excess revenues, after a reasonable profit has been made by the corporation, would go into the Federal Treasury.

Mr. Anderson, in conclusion, says:

"We must not lose what has been gained by the abolition of the saloon. We can neither ignore the appalling conditions which this commission has found to exist, and to be steadily growing worse, nor submit to their continuance. The time has arrived when we should lay aside theories and emotions, free our minds from the blinding influence of prejudice, and meet the problem as it exists."

This plan is recommended for consideration by Commissioners Kenyon, Loesch, Mackintosh, McCormick, and Pound.

The commission starts its report with a discussion of the scope of its inquiry, saying: "We have felt bound to go into the whole subject of enforcement of the eighteenth amendment and the national prohibition act; the present condition as to observance and enforcement of that act and its causes; whether and how far the amendment in its present form is enforceable, whether it should be retained, or repealed, or revised; and a constructive program of improvement."

Materials used by the commission in its work are outlined, and the entire problem of liquor control is discussed from a historical standpoint, the report pointing out that laws against drunkenness are to be found "very generally in antiquity."

SALOON ASSAILED

Despite the many control laws cited, however, the commission points out that "settled habits and social customs do not yield readily to legislative fiats."

Discussing the history of liquor control before the eighteenth amendment, the report asserts that "probably the institution which most strongly aroused public sentiment against the liquor traffic was the licensed saloon," and it links the saloon with "the corrupt influence of liquor dealers in politics." It declares that "admittedly, the great achievement of the eighteenth amendment has been the abolition of the saloon."

The report goes into detail regarding the history of the eighteenth amendment and the national prohibition act from the time of the introduction of the joint resolution carrying the amendment in both Houses of Congress in December, 1917. It points out that—

"The absolute prohibitions of the amendment extended only to the manufacture, sale, transportation, importation, or exportation of intoxicating liquors for beverage purposes. The amendment does not prohibit the manufacture, sale, transportation, importation, or exportation of alcoholic liquors which are not intoxicating or of intoxicating liquors for other than beverage purposes."

CHANGED NATION'S HABITS

The amendment, it is pointed out, does not define intoxicating liquors, and says that—

"In the absence of any definition this would, of course, mean liquors which were in fact intoxicating, a matter practically impossible of accurate determination, since it would depend upon the amount and conditions of consumption, the physiology of the consumer, and other factors which vary in each case."

In the absence of such a definition in the amendment, it is pointed out, Congress adopted the arbitrary definition of one-half of 1 per cent by volume, but from this definition were excepted fruit juices and cider manufactured in the home for private use. The report declares:

COOPERATION IS SADLY LACKING

"The amendment and the national prohibition act inaugurated one of the most extensive and sweeping efforts to change the social habits of an entire nation recorded in history.

"It would naturally have been assumed that the enforcement of such a novel and sweeping reform in a democracy would have been undertaken cautiously, with a carefully selected and specially trained force adequately organized and compensated, accompanied by efforts to arouse to its support public sympathy and aid. No opportunity for such a course was allowed.

DEFINITION ARBITRARY

"As already noted, it was necessary to leave the definition of intoxicating liquor to the legislature, and also necessary for the legislature to fix a somewhat arbitrary standard. Considerable public sentiment was, however, antagonized by the legislative fix-

ing of the permissible content of alcohol at a percentage substantially below the possibility of intoxication. This gave offense to a number of people who perhaps did not give adequate consideration to the administrative difficulties which might be involved by permitting a larger alcoholic content. Instant compliance was necessarily required from the date the amendment became effective. Scant opportunity was allowed for the organization of a force to carry out the congressional mandates. There was no time or opportunity for careful selection of personnel."

The report points out that the Commissioner of Internal Revenue, when the prohibition act was pending in Congress, declared that his bureau expected the cooperation of "those moral agencies which are so vitally interested in the proper administration of this law."

The report continues:

"If the cooperation thus referred to had been cordially given and the bureau had been adequately and efficiently organized for the purpose of discharging the responsibilities laid upon it by the national prohibition act, it is probable that many problems of the character existing at the present time would not have arisen. As a matter of fact, very little cooperation was given by the agencies referred to, and the organized bodies which had been instrumental in procuring the adoption of prohibition apparently abandoned all effort to convince the public of its advantages and placed all their reliance upon the power of the National Government to enforce the law. The proponents of the law paid no heed to the admonition that 'no law can be effectively enforced except with the assistance and cooperation of the law-abiding element.'

DRY FORCE ORGANIZED

"On the contrary, the passage of the act and its enforcement were urged with a spirit of intolerant zeal that awakened an equally intolerant opposition, and the difficulties now being experienced in rallying public sentiment in support of the eighteenth amendment result largely from that spirit of intolerance."

The report states that upon passage of the law the Bureau of Internal Revenue proceeded to organize an enforcement force.

"The appointment of prohibition directors and agents was not subject to the civil service laws," the report adds. "The salaries of prohibition agents were too low to be attractive. There has been much criticism of the character, intelligence, and ability of many of the force originally appointed, and many of their successors, and it is probably true that to their reputation for general unfitness may be ascribed in large measure the public disfavor into which prohibition fell. Allegations of corruption were freely made, and in fact, a substantial number of prohibition agents and employees actually were indicted and convicted of various crimes."

The report discusses the rapid turnover of prohibition-enforcement employees and points out that 184 men were in and out of the 48 offices of State directors from 1921 to 1925.

According to the report:

"The enforcement agents, inspectors, and attorneys, as was authorized in section 38 of the national prohibition act, were appointed without regard to the civil-service rules. A force so constituted represented a situation conducive to bribery and official indifference to enforcement. It is common knowledge that large amounts of liquor were imported into the country or manufactured and sold, despite the law, with the connivance of agents of the law.

ANDREWS TAKES REINS

Reorganization of the dry forces under Gen. Lincoln C. Andrews in 1925 is taken up in the report, and it states:

"General Andrews, in a letter dated March 31, 1925, which was put in evidence at the hearing before the Senate Judiciary Committee, stated that 875 employees had been separated from the service for cause from the commencement of prohibition to February 1, 1926, and of that number 658 separations had been effected since June 11, 1921. During substantially the same period, January 16, 1920, to March 30, 1926, 148 inspectors, attorneys, clerks, etc., except narcotic officers were convicted on charges of criminality, including drunkenness and disorderly conduct.

"While the number of convictions had in the Federal courts for violation of provisions of the act increased from 17,962 in the fiscal year ending June 30, 1921, to 37,018 in the fiscal year ending June 30, 1926, there was growing dissatisfaction with the results of the administration of the law and increasing complaints against the service. These led to the introduction in Congress of a large variety of bills proposing amendments to the eighteenth amendment or to the national prohibition act, and finally to demands for an investigation into the workings of the law."

58.75 PER CENT TURNOVER

Following the hearings before the Senate committee, it is pointed out, Congress passed the bureau of prohibition act, again reorganizing the enforcement agency, creating the positions of Commissioners of Customs and of Prohibition. The same act provided for eventually taking employees under the civil service. It is pointed out that in 1927, when examinations were given those already in the force, 41 per cent received passing marks and 59 per cent failed.

The report points out:

"The turnover in the higher administrative posts averaged 29.37 per cent per annum during the period of 11 years, the peak being 58.75 per cent in 1926. The turnover in the enforcement branch during the years 1920 to 1930 averaged 39.78 per cent. The effect of the application of the civil service laws marked a reduction, but in 1930 the turnover was still too high, being 22.78 per cent.

"One of the most unpleasant aspects of the problem of prohibition enforcement which relates directly to the matter of organization and personnel arises out of the charge of bribery and corruption. A general charge of this character against any organization is easily made but difficult of proof. It is obviously unjust to those in the organization who are not only honest but are diligent and patriotic in the discharge of their public duties. Yet to the extent that these conditions have existed or may now exist they constitute important factors in the problem of prohibition enforcement and are vital considerations as affecting the Government generally.

ONE THOUSAND SIX HUNDRED AND FOUR DISMISSED

"From statements furnished, it appears that from the beginning of national prohibition to June 30, 1930, there were 17,972 appointments to the prohibition service, 11,982 separations from the service without prejudice, 1,604 dismissals for cause. These figures apply only to the prohibition organization and do not include customs, Coast Guard, and other agencies directly or indirectly concerned with the enforcement of the prohibition laws. The grounds for these dismissals for cause include bribery, extortion, theft, violation of the national prohibition act, falsification of records, conspiracy, forgery, perjury, and other causes which constitute a stigma upon the record of the employee."

Giving a table showing dismissals annually, the report states:

"These figures do not, of course, represent the total delinquencies of the character named which actually occurred. They only show those which are actually discovered and admitted or proved to such an extent to justify dismissal. What proportion of the total they really represent it is impossible to say. Bribery and similar offenses are from their nature extremely difficult of discovery and proof."

COOPERATION DIFFICULT

Speaking of the Prohibition Bureau, the Coast Guard, the Border Patrol, and the Customs Bureau, the report says:

"Cooperation between all the forces above referred to would have been difficult at best. Each of the forces, other than prohibition, has duties to perform of a different nature than seizing liquor or apprehending smugglers of intoxicants. Effective cooperation is only possible where there is mutual respect and confidence. The older services have no such feelings for the newer.

"One of the most important measures necessary to the enforcement of the prohibition of liquor importation is the creation of a competent border patrol which shall unite in one efficient force the men of the four different services above mentioned. Difficult as is the task, it does not seem to be beyond accomplishment, although some legislative aid may be necessary to perfect such an organization.

"There is a mass of information before us as to a general prevalence of drinking in homes, in clubs, and in hotels; of drinking parties given and attended by persons of high standing and respectability; of drinking by tourists at winter and summer resorts; and of drinking in connection with public dinners and at conventions. This is true likewise with respect to drinking by women and drinking by youth, as to which also there is a great mass of evidence. In weighing this evidence much allowance must be made for the effect of new standards of independence and individual self-assertion, changed ideas as to conduct generally, and the greater emphasis on freedom and the quest for excitement since the war.

SEE DISREGARD FOR LAW

"As to drinking among youth, the evidence is conflicting. Votes in colleges show an attitude of hostility to or contempt for the law on the part of those who are not unlikely to be leaders in the next generation. It is safe to say that a significant change has taken place in the social attitude toward drinking. This may be seen in the views and conduct of social leaders, business and professional men in the average community. It may be seen in the tolerance of conduct at social gatherings which would not have been possible a generation ago. It is reflected in a different way of regarding drunken youth, in a change in the class of excessive drinkers, and in the increased use of distilled liquor in places and connections where formerly it was banned. It is evident that, taking the country as a whole, people of wealth, business men, and professional men, and their families, and, perhaps, the higher-paid workingmen and their families are drinking in large numbers in quite frank disregard of the declared policy of the national prohibition act.

DRINKING INCREASES

"The Census Bureau figures for the year 1929 indicate a decline in the rate of deaths from alcoholism, and the figures on all the points referred to are still substantially below the pre-prohition figures. Upon the whole, however, they indicate that after a brief period in the first year of the amendment there has been a steady increase in drinking.

"To the serious effects of this attitude of disregard of the declared policy of the national prohibition act must be added the bad effect on children and employees of what they see constantly in the conduct of otherwise law-abiding persons. Such things and the effect on youth of the making of liquor in homes in disregard of the policy, if not of the express provisions of the law, the effect on the families of workers of selling in homes, which obtains in many localities, and the effect on working people of the conspicuous, newly acquired wealth of their neighbors who have engaged in bootlegging, are disquieting. This widespread and scarcely or not at all concealed contempt for the policy of

the national prohibition act, and the effects of that contempt, must be weighed against the advantage of diminution (apparently lessening) of the amount in circulation."

The report declares that there are five main sources of illicit liquor: Importation, diversion of industrial alcohol, illicit distilling, illicit brewing, and illicit production of wine. Diversion of medicinal and sacramental liquor, according to the report, has also been a minor source. Importation of liquor, according to the report, takes place by land, water, and air, and it points out that importation by air "is not unlikely to increase and to call for additional preventive measures."

"Whisky," the report says, "either directly or indirectly from Canada, forms the bulk of illicit importation."

Speaking of control of industrial alcohol, the commission says that there has been a tightening up of restrictions on production, but it warns that when other sources are tightened up the pressure on industrial alcohol supplies will be increased.

Illicit distilling has become the chief source of supply, the report declares, and great advances have been made in the operation of illicit stills from the standpoint of efficiency. It declares that "even where Federal and State authorities join in a zealous campaign of enforcement, they have been unable to keep up with the setting up and operation of these unlawful plants."

RAIDS ON HOME ARE OPPOSED

The report discusses the difficulties of enforcement of prohibition as to beer and asserts that "in some parts of the country enormous sums of money are derived from the business of illicit beer. The profits from illicit beer are the strength of gangs and corrupt political organizations in many places. In more than one locality beer rings and beer barons have made fortunes out of it."

There has been little trouble in enforcing the law as it affects wineries, according to the report, but still this is regarded as a potential source of trouble.

Taking up production in the homes, the report says that the making of beer has fallen off because of inconvenience, the poor quality of the product, and the cheap price at which whisky may be bought.

Discussing the manufacture of wine in the home, the commission takes up court rulings and says that "If this view stands it becomes impracticable to interfere with home wine making, and it appears to be the policy of the Government not to interfere with it. Indeed, the Government has gone further. Prepared materials for the purpose of easy home wine making are now manufactured on a large scale with Federal aid. Much of home-made wine gets into circulation. The possibilities of leakage when there is pressure on other sources of supply are always considerable."

HOME RAIDS OPPOSED

The report states:

"The difficulties presented by home production differ from those arising in other phases of the general situation in that they involve the arousing of resentment through invasion of the home and interference with home life.

"Necessity seems to compel the virtual abandonment of efforts for effective enforcement at this point, but it must be recognized that this is done at the price of nullification to that extent. Law here bows to actualities, and the purpose of the law needs must be accomplished by less direct means. An enlightened and vigorous, but now long-neglected, campaign of education must constitute those means."

Discussing medicinal liquor the report states:

"As in other situations already discussed, a balance between the needs of medical practice and the demands of prohibition is called for and is far from easy to ascertain. But we are satisfied that in several particulars the causes of resentment on the part of the medical profession operate against a favorable public opinion to such an extent as to outweigh the advantages to enforcement.

SIMPLER PRESCRIPTION URGED

"We recommend: (1) Abolition of the statutory fixing of the amount which may be prescribed and the number of prescriptions; (2) abolition of the requirements of specifying the ailment for which liquor is prescribed upon a blank to go into the public files of the supervisor of permits, leaving this matter to appear on the physician's own records and accessible to the inspector; (3) leaving as much as possible to regulations rather than fixing details by statute, and reliance upon cooperation of the Bureau of Industrial Alcohol with medical associations, national and State, in the same manner in which the bureau cooperates with distillers and with trade associations; (4) enactment of uniform State laws on this subject, or, in the alternative, repeal of State laws and leaving the whole matter to Federal statutes and regulations.

"As to the diversion or unlawful use of sacramental wines, there seems now to be no serious problem."

Taking up the materials of illicit manufacture the report declares that there has been a great stimulus to the production of materials which are beyond the reach of the prohibition act, but which are used chiefly for violating the law. In this connection it cites malt sirup, wort, corn sugar, and other corn products, and grapes and grape products. The report declares that the bulk of corn sugar goes into illicit whisky and it points out that production of corn sugar has gone forward by leaps and bounds, multiplying by six between 1919 and 1929. The same is true, the report states, of grapes.

BIG VIOLATORS DODGE CAPTURE

On bootlegging the report declares that "it is common knowledge and a general cause of dissatisfaction with enforcement of the national prohibition act, that the big operators or headmen in the traffic are rarely caught. The higher-ups in bootlegging can not be caught, it is stated, with the present type of enforcement agent." It declares:

"These leaders are often at a long distance from the single act of violation discovered by the prohibition agent. In the investigation made by the grand jury in Philadelphia in 1928-29 it was found that the ramifications of a highly organized system of illicit distribution extended from New York to Minnesota, and the financial operations reached from Philadelphia to Minneapolis."

WOULD INCREASE FORCES

In regard to conspiracies the report points out that conspiracies have been uncovered in one of which 219 persons were involved, in another 156 persons, and in another 102.

"Organized distribution has outstripped organized enforcement," the report declares.

"It must be obvious that increased personnel and equipment are demanded if the enforcement agencies are to cope with this situation, and an increase in the corps of special agents, whose function it is to work up the evidence to expose such conspiracies, affords the most hopeful means of substantial accomplishment in the enforcement field. Destruction of alley breweries and padlocking of beer flats and speak-easies have little effect. They give an appearance of enforcement without the reality.

"Speak-easies, even where they approximate the old-time saloon, have few of the attractions which were used to bring customers to those drinking places and induce them to stay there and spend their money. Probably a much greater number of those who patronize them can afford to do so than was true in case of the saloon. Thus the closing of the saloon has been a gain even if speak-easies abound. But the saloon was not an unlawful institution. Where it was not carried on in defiance of law its patrons were not assisting in maintaining an unlawful enterprise. Against the gain in eliminating the saloon must be weighed the demoralizing effect of the régime of more or less protected speak-easies upon regard for law and upon law and order generally. Unless the number of speak-easies can be substantially and permanently diminished, enforcement can not be held satisfactory.

DRINKING GROWTH SEEN

"Not the least demoralizing feature of enforcement of national prohibition is the development of open or hardly disguised drinking, winked at by those in charge in respectable places where respectable people gather. People of wealth, professional and business men, public officials, and tourists are drinking in hotels, cafés, and tourist camps under circumstances where at least knowledge on the part of those in charge that the liquor comes in unlawfully is an inescapable inference."

Speaking of the evidence of violation through the prices charged for various grades of liquor, the report declares:

"The conclusion is that enforcement is not reaching the sources of production and distribution so as materially to affect the supply."

CITIES MOST DIFFICULT

On the matter of State cooperation and pointing out that some States adopted enforcement laws of their own, the report declares that "in many of the first class of States the laws were quite generally enforced before national prohibition. In those States fair cooperation with the Federal prohibition forces at first was given, but there has been in recent years a growing tendency, even in States with prohibition laws, to let the Federal Government carry the burden of enforcement."

After discussing conditions in various classes of States, and lamenting that complete figures are not available as to State activity the report states:

"It is true that the chief centers of nonenforcement or ineffective enforcement are the cities. But since 1920 the United States has been preponderantly urban. A failure in the major part of the land in population and influence. Enforcement is at its best in the rural communities in those States where there was already long-established State prohibition before the national prohibition act.

COURTS SHOW THE CORRUPTION

"As to corruption it is sufficient to refer to the reported decisions of the courts during the past decade in all parts of the country, which reveals a succession of prosecutions for conspiracies, sometimes involving the police, prosecuting and administrative organizations of whole communities; to the flagrant corruption disclosed in connection with diversions of industrial alcohol and unlawful production of beer; to the record of Federal prohibition administration as to which cases of corruption have been continuous and corruption has appeared in services which in the past had been above suspicion; to the records of State police organizations; to the revelations as to police corruption in every type of municipality, large and small, throughout the decade; to the conditions as to prosecution revealed in surveys of criminal justice in many parts of the land; to the evidence of connection between corrupt local politics and gangs and the organized unlawful liquor traffic, and of systematic collection of tribute from that traffic for corrupt political purposes.

FIELD LARGER NOW

"There have been other eras of corruption. Indeed, such eras are likely to follow wars. Also there was much corruption in connection with the regulation of the liquor traffic before prohibition. But the present régime of corruption in connection with the liquor traffic is operating in a new and larger field and is more extensive.

"Too often during the early years of prohibition were arrests made and prosecutions instituted without sufficient evidence to justify them. In very many instances unwarranted searches and seizures were made which resulted in the refusal by commissioners to issue warrants of arrest or in the dismissal of the prosecution by the courts.

"In many instances the character and appearance of the prohibition agents were such that the United States attorney had no confidence in the case and juries paid little attention to the witnesses. Thus some of the most important cases were lost to the Government.

* * * * * * *

"The eighteenth amendment was submitted and ratified during a great war. The national prohibition act was passed immediately thereafter. These periods are always characterized by a certain amount of emotionalism. This was especially true of the World War."

EXPERIENCE WAS LACKING

The report continues with this theme, saying that ratification was made by legislatures which in the main had been elected without any campaign reference to the subject of prohibition.

The magnitude of the task of enforcing the prohibition law was not realized at the time of enactment, the report says, and it became increasingly apparent that enforcement would be more difficult than had been supposed. There also was a lack of experience in the enforcement of a Federal law of this type. High-handed methods were employed by the enforcing officials, the report relates, and soon the influence of politics and overzealous friends of the law began to be felt to the end that enforcement was defeated.

There was also, until recently, continues the report, a lamentable lack of cooperation among the Federal agencies as well as misunderstandings between national prohibition officers and the State law-enforcement agencies.

REPORT TRACES HISTORY

The report traces the early history of the temperance movement and tells how gradually the organizations which were making a campaign for temperance, through education, became champions of the prohibition movement in States and Nation. Concerning the difference between temperance and prohibition, it says:

"There are obvious differences, both as to individual psychology and legal principle, between temperance and prohibition. Temperance assumes a moderate use of alcoholic beverages but seeks to prevent excess. Even though the ultimate objective may be total abstinence, it seeks to attain that objective by the most effective regulation possible and by the education of the individual to the avoidance of excess and gradual appreciation of the benefits of abstinence."

The commission finds that the original opponents of the prohibition law have been greatly augmented by many new enemies of the legislation, many of the latter being persons who originally supported the amendment, and adds:

"The cumulative result of these conditions was that from its inception to the present time the law has been to a constantly increasing degree deprived of that support in public opinion which was and is essential for its general observance or effective enforcement."

PROBLEMS ARE SHOWN

In enumerating the problems of enforcement the commission names geographical, political, psychological, and economic difficulties. The lessening of the expense of manufacture of alcohol and liquor, the long 12,000-mile coast line that has to be guarded, the active interference of politicians to get their friends located in the prohibition bureaus, their influence on courts and enforcement officers, and the attitude of local officers of the law all made trouble for the national officials whose duty it was to enforce the prohibitory laws. Concerning the failures of cooperation, the report says:

"We have a long tradition of independence of administrative officials and systematic decentralizing of administration. In consequence disinclination to cooperate has pervaded our whole polity, local, State, and Federal; and for historical reasons, since the Civil War, there has been more or less latent, or even open, suspicion and jealousy of Federal administrative agencies on the part of many of the States. Concurrent State and Federal prohibition has shown us nothing new. It has repeated and recapitulated in a decade the experience of 140 years of administration of nation-wide laws in a dual government."

"Lawyers everywhere deplore, as one of the most serious effects of prohibition, the change in the general attitude toward the Federal courts. Formerly these tribunals were of exceptional dignity, and the efficiency and dispatch of their criminal business commanded wholesome fear and respect. The professional criminal, who sometimes had scant respect for the State tribunals, was careful so to conduct himself as not to come within the jurisdiction of the Federal courts. The effect of the huge volume of liquor prosecutions, which has come to these courts under prohibition, has injured their dignity, impaired their efficiency, and endangered the wholesome respect for them which once obtained.

COURTS ARE SUFFERING

"Injurious effects upon the administration of the machinery of the courts have been equally apparent," the report goes on to say:

"Instances of difficulty in procuring execution of warrants by United States marshals, scandals in the carrying out of orders for the destruction of seized liquors, failure to serve orders in padlock injunction cases, and carrying on of illicit production and distribution under protection of a marshal or his assistants, in many places have brought the executive arm of the Federal courts into disrespect, where until recently its efficiency was universally believed in."

Under the heading of The Invitation to Hypocrisy and Evasion Involved in the Provisions as to Fruit Juices, the report says, in part:

"If these are not 'liquor' within the act, it is hard to see why the provision was needed. If they are, and the provision so suggests by saying that the penalties for the manufacture of 'liquor' shall not apply to them, there is a discrimination between beer of lower alcoholic content, which certainly is not a 'fruit juice,' and wine of distinctly higher content.

DISCRIMINATION CITED

"Moreover, the failure to fix the meaning of 'nonintoxicating' in this connection, leaving it a question of fact to be passed on by the jury in each case, in effect removes wine making from the field of practicable enforcement.

"Why home wine making should be lawful while home brewing of beer and home distilling of spirits are not, why home wine making for home use is less reprehensible than making the same wine outside the home for home use, and why it should be penal to make wine commercially for use in homes and not penal to make in huge quantities the material for wine making and set up an elaborate selling campaign for disposing of them is not apparent.

"It is generally admitted and indeed has been demonstrated," says the report, "that State cooperation is necessary to effective enforcement. In States which decline to cooperate and in those which give but a perfunctory or lukewarm cooperation, not only does local Federal enforcement fail, but those localities become serious points for infecting others. As things are at present, there is virtual local option. It seems to be admitted by the Government and demonstrated by experience that it is substantially impracticable for the Federal Government alone to enforce the declared policy of the national prohibition act effectively as to home production. Obviously, nullification by failure of State cooperation and acquiesced-in nullification in homes have serious implications."

EDUCATION IS STRESSED

Corruption can be eliminated, the commission believes, by removing the big profits from the liquor business and by the selection of a higher type of personnel in the department.

"As to public opinion," says the report, "the way toward improvement is chiefly through education. Unhappily since the national prohibition act the whole emphasis has been put upon coercion rather than upon education."

PLEADS FOR "REASON"

At the outset of paragraph 4 the Wickersham Commission pleads that it is a "truism" that no laws are absolutely observed or enforced and asks what should be a "reasonably practical enforcement" of the national prohibition act. It then engages again in a brief discussion of the difference between enforcement of a statute such as the prohibition law and the lax or ineffective enforcement of other Federal laws, including the customs chiefly affecting revenue. It is observed that "the everyday work of police belongs to the States." The report adds:

"But if the national prohibition act is not enforced the collateral bad effects extend to every side of administration, police, and law and order. In view of the policy announced in section 3 of that act any large volume of intoxicating liquor continually in circulation shows a serious falling short of the goal, and is highly prejudicial to respect for law.

"The enforcement to be aimed at must be one operating as an effectual deterrent upon manufacture, importation, transportation, sale, and possession in every part of the land, resulting in a uniformly high observance of the announced purpose of the act everywhere and restricting the liquor in general circulation to a relatively negligible amount."

MANY PLANS ADVANCED

The commission recites that numerous plans have been advanced during its protracted investigation, but they may be grouped conveniently under eight heads. Many suggestions proposed schedules of legislation dividing the enforcement field between the Federal Government and the States, which, the commission says, seems plausible at first blush.

But, the commission hold, this policy is not easy of execution and the plans vary significantly. It is recounted that proposed problems to be left to Federal jurisdiction include importations of liquor, interstate transportation, illegal manufacture on a large scale, interstate organizations of illicit liquor dealers operating on a large scale.

But other suggestions are that the Federal Government should even deal with conspiracies to maintain a system of open saloons, also that the Federal Government should adopt a hands-off policy

"in States where there is a disinclination or hostility toward enforcement."

OPPOSITION TO CENTRAL FORCE

Summing up on this phase, the commission says in part:

"From either standpoint there are serious objections to this type of plan. It gives up the policy of concurrent jurisdiction expressly laid down in the eighteenth amendment and adopts a fundamentally different system. This is legally possible. But if the amendment is to be modified we think that should be done directly and avowedly rather than by indirection.

"Secondly, it gives up in effect the policy of the eighteenth amendment in whole or in part as to all States which decline to act or are indifferent. If this is to be done, we think it ought to be done directly under warrant of the Constitution and not by way of nullification thereof.

ADMITS DRAWBACKS

"Thirdly, it gives up the announced policy of the national prohibition act as to any State which chooses to do nothing, or little or nothing, with respect to that part of the program of the eighteenth amendment abdicated by the Federal Government. If it is sought to guard this abdication by retaining Federal jurisdiction to the extent of Federal repression of open saloons, it must be observed that such saloons are not within the natural or traditional field of Federal action. Yet the circumstances that it is felt necessary to guard against the return of saloons in States where the power given up by Federal Government remains unexercised, shows the recognized need of a Federal power beyond what existed before the amendment."

Admission that a suggestion for a "unified Federal police" has serious drawbacks, including an American antipathy to overcentralization, is set out thus:

"From the standpoint of a highly centralized Federal enforcement of prohibition, reaching into the details of violation and seizures in every part of the land, this might be more effective. But Americans have a strong and justified traditional antipathy to overcentralization.

"Any considerable Federal policing is wholly at variance with the general spirit of our Constitution. Indeed, the Constitution permits it only as an incident of certain granted powers. Moreover, the political possibilities of such a force, reaching into every community, are disquieting."

FORCE "TOO SMALL"

The report concedes the correctness of substantial agreement among all witnesses appearing that the Federal prohibition force is "much too small" for the work in hand, with estimates varying as to the number needed. After referring to pending legislation to give Prohibition Administrator Woodcock 500 additional agents, and claims that no such force is required, the report says:

"Between these extremes our conclusion is that there should be 60 per cent more agents and 60 per cent more storekeeper-gaugers, that the number of prohibition investigators and special agents should be doubled, that there should be a proportionate increase in the Customs Bureau, and in the equipment of all enforcement organizations, and that the number of assistant district attorneys should be increased."

COORDINATION NEEDED

Reciting that there are now approximately 25 statutes bearing on enforcement of prohibition, many of them antedating the eighteenth amendment, the commission says it has had testimony that "they are much in need of being put in order," and a special prohibition code of laws has been proposed. Agreeing that these statutes need coordination, the commission asserts, while listing a few of the existing laws:

"More than this, however, there is real need of revising and digesting the national prohibition act, and the acts supplemental to and in amendment thereof, with a view of putting it in a simpler, better-ordered, and more workable condition.

"These acts have been superposed one upon another, and all upon the original act, in such a way that it is difficult at times to make out what is the effect as to particular details. * * *

"It is enough to say that the Bureau of Prohibition (before the transfer) was at work on the redrawing of the statute to remedy this situation. We think this work ought to be resumed, and that the whole series of statutes, with such amendments as may be called for toward better enforcement, should be put into a single, thoroughly revised statute.

"Some have urged upon us the importance of uniform State laws. Undoubtedly the State laws are very diverse. But a uniform State law in aid of the national prohibition act could hardly be procured to be enacted in a number of the most populous States. Nor does it seem feasible as to the remaining States. Local conditions are so divergent * * *."

In a somewhat ambiguous paragraph the Wickersham commission treats of the highly controverted subject of "search and seizure," which is covered in the Constitution, something else than the eighteenth amendment and the Volstead act. In effect, the report admits there has been a lessening of espionage as to "home-brewing" and indirectly this is approved, and it also indirectly disapproved any alteration of Federal law respecting search and seizure, the report reading:

"More latitude for searches and seizures has been urged by many. No doubt the difficulties in this connection have had much to do with the abandonment of Federal activity against home making of wine and beer. Also the limitations upon search and seizure have undoubtedly hampered investigators and special agents in every connection. But apart from constitutional questions, too much resentment and irritation is likely to be provoked by changes which would give to enforcement of national prohibition greater latitude than is permitted with respect to other laws.

"We do not think it advisable to alter the Federal law with respect to search and seizure, assuming that it would be possible."

MAY AFFECT HOWELL BILL

This conclusion may have effect upon the Howell bill, now before the Senate, which opens up the search and seizure privilege to all members of the Washington police force where it is suspected that contraband liquor is stored.

The Wickersham report discusses at length the "congestion in the courts" attributable to prohibition as well as other laws, and it reasserts that "congestion in the Federal courts continues to be a major problem." More judges and prosecuting attorneys are suggested.

After further rather academic discourse upon the prohibition problem the Wickersham report concludes:

"If there is to be a revision of the eighteenth amendment, the following requirements should be met:

ASKS FOR ELASTICITY

"The revision should be such as to do away with the absolute rigidity of the amendment as it stands. It should give scope for trying out further plans honestly with some margin for adjustment to local situations and the settled views of particular communities. It should admit of different modes or types of prohibition, or control in different localities in case Congress approves. It should aim at keeping control in the Nation and committing details and initiative to the States.

"It should be such as to conserve the benefits of the present situation by national and State repression of saloons and open drinking places and yet permit, where demanded by public opinion, an honest, general, or local control of manufacture or importation and distribution, consistent with the minimum demand which otherwise, in very many localities at least, will tend to bring about a régime of nullification or defiance of law. It should allow of attempts by general or nationally approved local systems of control to do away with the enormous margin of profit which is at the bottom of widespread corruption and general lawlessness. It should allow of allaying the sources of resentment and irritation directly and in accord with the spirit of the law instead of impelling to courses inconsistent with the spirit, if not also the letter, of the law, and inviting disrespect for the legal ordering of society. It should allow of adjustment to local public opinion, so as to do away with the strain on courts and prosecuting machinery involved in the attempt to force an extreme measure of universal total abstinence in communities where public opinion is strongly opposed thereto.

ELEVEN PROHIBITION OPINIONS FROM ELEVEN EXPERTS

Newton D. Baker: "The eighteenth amendment should be repealed. If immediate repeal be thought unattainable, then a submission of the amendment giving Congress the power to 'adopt Federal legislation on the subject' would be of use in testing the present sentiment of the country."

Ada L. Comstock: "I am one of those members of the commission who favor an immediate attempt at change. I favor revision of the amendment rather than its repeal."

William I. Grubb: "I believe that prohibition is entitled to a further trial before a revision or repeal of the amendment."

William S. Kenyon: "Prohibition laws should have a further trial. If, after reasonable trial, it is demonstrated that they can not be enforced any better than they have been in the past, the modification of the eighteenth amendment suggested by the commission should be brought about."

Frank J. Loesch: "Effective national enforcement of the eighteenth amendment in its present form is unattainable; therefore steps should be taken immediately to revise the amendment. I do not favor repeal."

Kenneth MacIntosh: "We must meet present-day problems of liquor conditions with new weapons. This is no time to beat a retreat. The eighteenth amendment should be made more flexible."

Paul J. McCormick: "I do not favor a revision of the eighteenth amendment immediately. I believe that an opportunity should now be given to Congress and to administrative agencies to give it a fair trial. If within a reasonable time observance and enforcement conditions are not clearly shown to be better, then the amendment should be revised."

Roscoe Pound: "The eighteenth amendment must be redrawn so as to preserve Federal control."

George W. Wickersham (chairman): "I am not convinced that the present system may not be the best attainable. I think that the submission of the proposed revision of the eighteenth amendment in a popular referendum is advisable."

Monte M. Lemann (nonsignatory): "I see no alternative but repeal of the amendment."

Henry W. Anderson: "Congress should create a bipartisan national commission in liquor control." (Along lines of Swedish control system.)

DEVELOPMENT OF WATER TRANSPORTATION—ADDRESS BY SENATOR BROUSSARD

Mr. STEPHENS. Mr. President, recently the Senator from Louisiana [Mr. BROUSSARD] delivered a very able and interesting address before the Intracoastal Canal Associa-

tion at New Orleans, La. I ask unanimous consent that the address may be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ANTIQUITY OF WATER TRANSPORTATION

Water transportation dates back from the earliest recorded history of the human race, in some localities being for centuries the exclusive means for travel and transport of merchandise and goods. It had been intelligently developed long before the Christian Era and is still the chief means of transportation in many countries. Not only were natural waterways used for that purpose, but the ancients resorted to artificial means by constructing canals and water connections between main streams or bodies of water for the purpose of shortening distance of transportation. It has ever been the cheapest method of transportation.

THE ADVENT OF THE RAILROADS AND RESULTS; FIGHT ON WATER TRANSPORTATION

During the early period of the history of this Government settlements were first established along water courses for that very reason, and as such method of settlement did not permit the full development of the country because of difficulties of transportation from interior points, the Government realized the necessity of encouraging some other means of transportation in order to develop the country more densely and to its full capacity. Therefore, it was decided to grant to individuals or corporations bonuses or subsidies in the form of public lands to encourage the construction of railroads. This venture was eminently successful, and not only developed the interior of the country by connecting the several settlements on waterways, but gradually extended across the continent, thereby connecting by rail the Atlantic and the Pacific as well as connecting Canada with the Gulf coast and Mexico.

But in the expansion of these railroads their officials developed an ambition to control all of the traffic in this country. They resorted to all sorts of excuses, policies, and methods to destroy inland-water transportation. For a period they were successful, and it seemed for a long time that the railroads would be successful in permanently destroying any hope of reestablishing water transportation. Their methods were so obstructive to the natural and continued expansion and development of this country that the Federal Government found it necessary to expend large sums of money in perfecting and extending the rivers and the harbors of the country.

This was not sufficient, however, and more recently the Government ventured and projected itself into the controversy for the sake of saving and reestablishing transportation. The World War first brought the Government into the water-transportation business, and the Congress, realizing the necessities and possibilities, have ever since continued operations in the Mississippi Valley and on the Gulf coast between New Orleans and Birmingport, Ala.

THE FORMATION OF THE BARATARIA-LAFOURCHE CANAL; THE ACT OF 1873

But even before the inauguration and development of the railroad system in Louisiana many people living in the city of New Orleans and along the Gulf coast in Louisiana, realizing the necessity and value of a water route along the coast reaching the farms and plantations in the interior, a number of planters and farmers, with merchants of the city of New Orleans, aided by the State of Louisiana as the largest stockholder, under the title of the Barataria & Lafourche Canal Co., organized for the purpose of digging a canal across the country connecting the Mississippi River at New Orleans through the various water courses westward to the Atchafalaya River at Morgan City. It is recorded that their conception of this project even then gave them hope that some day it would be extended and connected with the Rio Grande.

This was in 1829, and between the years 1830 and 1836 the company secured the rights of way for the Barataria-Lafourche Canal. The canal was nearly completed when the Civil War came and stopped operations, and for a period, due to the bankruptcy of the entire South following the war, remained inactive. In fact, the canal fell into disuse, but some time later a second company was formed and spent over $400,000 before work of completion was abandoned. It remained for a third company to finish and complete this canal which has been open for many years, and has been daily navigated by all kinds of floating vessels, including steamboats and barges.

It may be stated here that before this waterway was completed so as to make it possible to compete with the railroads, just inaugurated in that territory, perishable freight was allowed to rot on the platforms of railroad stations; sugar, rice, cotton, and other products were stacked to the ceiling in warehouses for lack of cars available for use in their transportation. As soon as the canal was completed a sudden change took place. For the first time shippers in that locality began to compare water rates with railroad rates, and the railroads found themselves compelled to meet this lower transportation cost, and accordingly all products and goods moved into and out of that section expenditiously. There was no more rotting of produce at the railroad stations for want of shipping facilities.

The efforts of those who organized the Barataria & Lafourche Canal Co., who availed themselves of the natural opportunities afforded by the streams that nature had so conveniently placed as to make their connections inexpensive, and the practical demonstration of the plan, plus the traffic then on the canal between New Orleans and Morgan City, had attracted the attention of the United States engineers.

Due to a recommendation made by the Chief of Engineers, an act of Congress was adopted and approved March 3, 1873, authorizing a survey of a project which was made by the Army Engineers and reported in detail in the report of the Chief of Engineers in the year 1875. The act authorizing this survey was contained in the river and harbor act approved March 3, 1873, and was stated in the following words:

"For connecting the inland waters along the margin of the Gulf of Mexico from Donaldsonville in Louisiana to the Rio Grande River in Texas by cuts and canals."

The report of the engineers was favorable in so far as the cheapness and practicability of the project were concerned, but at that time there was little development along the Gulf coast to justify the expenditure of the estimate submitted for a canal from Donaldsonville to the Rio Grande, and for that reason alone the undertaking was deferred.

CONGRESSMAN BROUSSARD'S RESOLUTION

No further action was taken about this matter until January 23, 1900, when a bill was offered by the late Congressman Robert F. Broussard, which read as follows:

"A bill to provide for an additional survey of an inland water route surveyed under act of Congress of March 3, 1873, along the margin of the Gulf of Mexico from Donaldsonville in Louisiana to the Rio Grande in Texas by cuts and canals as a means of military and naval defense and for commercial purposes."

The route of the canal, as proposed above, differed from the present adopted intracoastal route in that instead of commencing, as does the present route, at the Mississippi River near New Orleans and running to Morgan City by way of the Harvey Canal and the Barataria and Lafourche Canal to Morgan City, it started at the Mississippi River at Donaldsonville and ran on Bayou Lafourche to Napoleonville, thence by canal to Lake Verret, thence to Flat Lake via the Little Atchafalaya River and Bayou Teche to Franklin, thence by canal to Cote Blanche and Vermilion Bays to Schooner Bayou. The rest of the route westward to the Rio Grande being practically the same, except that the project now adopted and under process of construction has been moved inland so as to avoid the open bodies of water of any consequence, thereby making the route safer to barges and light craft.

It will be noticed, of course, that the surveys as made by the engineers under the act of 1873 and the bill offered by the late Congressman Broussard did not provide for any portion of this canal east from Morgan City. This was because the old Barataria and Lafourche Canal had already been cut and was then being used. Not only was the old Barataria and Lafourche Canal already cut, but it was considered of sufficient dimensions, as is evidenced by the fact that the adoption of sections of the Intracoastal Canal subsequently adopted were not of larger dimensions than it.

At the time that the late Congressman Broussard offered this bill he represented the third congressional district of Louisiana, which extended from the Mississippi River to the Sabine River, and thus included the parishes of Ascension and Iberville, now part of the sixth congressional district, on the east, and Calcasieu and Cameron, now in the seventh congressional district, on the west; so that the entire portion of the proposed project in Louisiana fell within the third congressional district.

A search of the CONGRESSIONAL RECORD discloses that after the report of the engineers in 1875, which was adverse, the only bill offered prior to the Broussard bill covered only a small section of what is now known as the Intracoastal Canal, was offered by the Senate Committee on Commerce on January 20, 1898, and provided "for an examination of the survey of a water route from the northern end of the Port Arthur Ship Canal at or near Port Arthur, Tex., to deep water at the mouth of the Neches River, and from thence to deep water at the mouth of Sabine River." It was not adopted.

The bill offered by the late Congressman Broussard revived the 1873 inland-waterway project, now known as the Intracoastal Canal. Associations were immediately formed in Louisiana and in Texas and annual meetings were held by these separate State organizations for the purpose of advancing this very useful and much-needed means of transportation.

In 1905 representative citizens of Louisiana and Texas who had previously organized local associations assembled at Victoria, Tex., at the call of the Hon. C. S. E. Holland, having for its object not only to further stimulate interest but to try to unify action in connection therewith. This association was known as the Interstate Waterway League of Louisiana and Texas, and a few years later changed its name to the Intracoastal Canal Association of Louisiana and Texas.

Much interest was manifested by people living on the Gulf coast of both States. By that time the State of Louisiana had redistricted its congressional districts as required by the reapportionment bill and one part of the third congressional district became part of the sixth and another part had been added to the seventh. Bayou Lafourche had been dammed under an act of Congress at the request of the Legislature of the State of Louisiana, and no longer afforded connection with the Mississippi River at Donaldsonville. New Orleans naturally being interested in having a more direct connection with the Intracoastal Canal than that then afforded by a connection at Plaquemine through

the locks just completed to Morgan City, had its member of the second congressional district offer a bill for that section between the Mississippi River at New Orleans and Morgan City, so that this route, no part of the original plan of 1873, was consequently included in future plans.

There was a weakness in the method pursued for many years by the respective Members of Congress from both States with reference to this project. Each Member from Louisiana offered a bill to cover that section which traversed his congressional district. The same situation existed in Texas. This resulted in the adoption of separate bills for the several sections of the entire project. The exigencies and possible development of the different congressional districts had each to justify the expenditure of money by the Government for that particular section, and as the then state of development of the country and the possibilities of development in the future differed in different sections it resulted in a canal having sections of varying dimensions, and the work adopted was in a measure useless to the main object in mind in the expenditure of such a large sum of money. Some of the sections of the canal had only one-half the capacity of the adjoining sections. It was the same as if one undertaking to build a railroad would build a standard gauge in some sections and narrow-gauge sections of different dimensions connecting therewith.

This had been realized by many of those interested in the project, and the Intracoastal Canal Association of Louisiana and Texas, as well as Members of Congress, realized that the method had to be changed. But despite the attitude of this association, which sought to bring the dimensions of the entire project to conform with the plans of the Federal Government in the development of the Ohio and other projects, which provide for a 9-foot channel, it was not until 1922 that, as the result of a well-planned and concerted drive, after conferences between members of the association, the two Senators from each of the two States and Representatives in Congress from both States, that the old, foolish policy was abandoned and a new departure based on reason and good sense was adopted.

I may say at this stage that the Intracoastal Canal Association of Louisiana and Texas wisely sent as its representatives to Washington Messrs. Roy Miller and René F. Clerc, whose work in connection with ensuing legislation should receive the thanks of this association and of those interested in the success of the project. Their work in Washington was most intelligently and capably done, and they were of invaluable service to the two delegations in Congress.

AUTHORIZATION FOR THE WORK

At conferences with the Secretary of War and Chief of Engineers the reasons stated for a new authorization to embrace the entire route as one project so as to secure a canal which could be used by boats and barges coming down the valley from the Mississippi River and its important tributaries was agreed upon as desirable.

The result of these several conferences was a letter from the Secretary of War to Senator JONES, chairman of the Commerce Committee of the Senate, dated May 31, 1922, which stated:

"It is recommended that the following be included in the proper location in the section authorizing preliminary examinations and surveys:

"Intracoastal canal from the Mississippi River at or near New Orleans, La., to Corpus Christi, Tex.

"An intracoastal canal from the Mississippi River to Corpus Christi has been considered by sections at various times and the construction of certain sections of this canal with varying depths has been authorized from time to time in the past. It has become evident that this waterway should be considered as a whole, and an authorization for a new report which will consider this entire stretch would be advantageous in order that Congress may have the data before it for considering the subject of a waterway along the entire section of the Gulf Coast rather than as is now being done."

For reasons which were unavoidable, this survey order, recommended as just stated by the Secretary of War to the Commerce Committee of the Senate, was omitted from the river and harbor legislation act which became a law September 22, 1922. River and harbor acts are adopted usually every other year, and it had been contrary to the policy of the Congress to authorize independent surveys for individual projects, but it was deemed by those of us who were trying to get some action that the importance of the investigation was sufficient to set aside this long-standing precedent, and the way being paved, on December 7, 1922, the late Congressman H. Garland Dupré of Louisiana, a Member of the Rivers and Harbors Committee, introduced the following bill:

"For the examination and survey of the intracoastal canal from the Mississippi River at or near New Orleans, La., to Corpus Christi, Tex.

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War be, and he is hereby, authorized and directed to cause an examination and survey to be made of the intracoastal canal from the Mississippi River at or near New Orleans, La., to Corpus Christi, Tex."

This measure was passed by the Congress and was approved by the President March 3, 1923. Bills identical to that introduced by Congressman Dupré had been introduced in the Senate by Senators SHEPPARD, of Texas, and RANSDELL, of Louisiana.

VALUE OF INTRACOASTAL CANAL

Thus, under the project as finally authorized and adopted, the intracoastal waterway becomes a transportation facility of standard depth and width and is of national importance. The Mississippi River, the Ohio, the Missouri, and other lesser tributary streams are freighted with barges up and down stream at a cost of freight far less than the rail rate. The saving in transportation by barges is tremendous to the shipper and to the consumer, and by having a 9-by-100-foot canal connecting with the Mississippi River at New Orleans and at Plaquemine, the Gulf coast west of New Orleans is about to reap a rich harvest from the labors of the few who have devoted much time and funds in promoting this project. It is stated that the difference in transportation cost between the water and rail rates amounts to a considerable sum, in some classes of commodities to as much as $5 per ton.

This country has developed so rapidly and so tremendously that the railroads are not able to render all the service as they attempted to do in the past, and the development of water transportation in view of this increased demand for transportation facilities should not injure the railroads, but should, on the other hand, assist them, because it is up to the railroads to handle the transportation from and into the interior, even though the barge is used on part of the journey.

It is impossible to state or to conjecture at this time all that the intracoastal canal will do for us. Its advantages and benefits are beyond the conception of anyone now living. It puts not only the port cities on the Gulf coast in Louisiana and Texas but the interior territory on streams connecting with the intracoastal canal directly on a great system of waterways, comprising thousands of miles in extent, giving us by means of the barge service the cheapest known form of transportation between the Gulf section on the one hand, and Pittsburgh, Cincinnati, Louisville, Chicago, Minneapolis, St. Paul, Kansas City, St. Louis, Memphis, and other important centers of trade and commerce on the other.

The Government is now operating a line of barges between New Orleans and Birmingport, near Birmingham, Ala. This barge line carries into the Mississippi River huge quantities of coal and iron, besides other important commodities and products. This line is not only proposed to be extended to the Appalachicola River in Florida but it is proposed to construct a canal across the peninsula of Florida, so as to connect with the canal system along the Atlantic coast, to a large extent already developed, touching all the important centers along the Atlantic and extending to Boston.

REVIEW OF LEGISLATIVE HISTORY

But now to return and review the later legislative history after the adoption of the Dupré bill directing a survey.

There was harmony among members of the Louisiana and Texas delegations, and I use the word "delegations" advisedly because I am familiar with the activity of all the members of the Louisiana delegation, and I wish to say that in all of this struggle to obtain results not only the two Senators but every member of the Louisiana delegation from districts not directly along the intracoastal canal stood ready at all times to assist in advancing the cause, and I am sure that the two Senators from Texas and the Members of the Congress representing Gulf districts can truthfully say the same about the Texas delegation.

What I am about to state bears out the statement just made as to the unity of action of the members of the Texas and Louisiana delegations interested in having this old project finally settled.

On June 4, 1924, the river and harbor authorization bill was reported to the House, and carried 34 new projects to be authorized with an estimated total cost of $53,565,650. The largest authorizations, and I shall confine myself to those over $10,000,000, carried in the bill as reported were:

Hudson River	$11,200,000
Los Angeles and Long Beach Harbors	11,200,000
Intracoastal Canal	16,000,000

At that time, and even unto this day, the right of way for the intracoastal canal had not yet all been obtained; and I wish to depart now from the text of my subject in saying that this association and the members of the Louisiana and Texas delegations, who have worked so hard to put this project over—as well as all the people who live on the Gulf coast—deeply appreciate the action of the Legislature of Louisiana in carrying out the recommendation of the governor in making appropriations sufficient to pay all amounts necessary to secure all rights of way not previously obtained. It was right that Terrebonne Parish should not be made to bear further burden. This movement has been assisted by no community more than it has been by the people of Houma and Terrebonne Parish. Its citizens and the parish treasury have expended much money, and the situation which confronted them made it impossible for them to pay for these rights of way; and, inasmuch as the entire State is to benefit by this project, it is well that the State should contribute this amount.

Now, resuming my review of the authorization, our work had been so well done in so far as the Congress was concerned that the entire system was carried in the river and harbor bill of June 4, 1924. The new project had been recommended by the Secretary of War to Congress on May 31, 1922. Due to the unavoidable circumstances the survey was omitted, as previously stated, from the harbor legislative act which became a law September 22, 1922, but by June 4, 1924, we had been able to set aside the policy of

Congress by the adoption of the Dupré bill and the Congress had allowed us the full estimate submitted by the engineers, $16,000,000.

THE PRESIDENT INTERFERES

But the President quickly informed the Committee of the House on Rivers and Harbors that the bill which aggregated $57,000,000 had to be reduced to $40,000,000, and the committee called upon those of us in the House and Senate from Louisiana and Texas to agree as to where the $9,000,000 they were willing to allocate to the Intracoastal Canal project should be expended. After mature deliberation, in view of the fact that Texas was willing to forego expenditure of funds from Galveston to Corpus Christi, those of us representing Louisiana felt that we could not refuse to accept the recommendation of the engineers to permit at that time the use of the alternate route via the Plaquemine Locks, provided the New Orleans-Morgan City route, via Harvey Canal, was also adopted. That seemed to be fair to us and seemed also the only expedient and sensible thing to do.

Moreover, House Document No. 238, which is the recommendation for the intracoastal beginning "at or near New Orleans to Corpus Christi, Tex.," imposed upon the local communities the condition that no part of the funds appropriated should be expended on this project until the Secretary of War was assured that barges, water craft, wharves, and terminals sufficient to care for 2,100,000 tons of freight per year had been provided for. Large interests in Texas had undertaken to supply this guarantee and had organized a company with several millions of capital for the purpose of assuring that this condition would be met. The section between New Orleans and Morgan City, via the Harvey Canal, was estimated to cost $4,000,000. The work to be done between Plaquemine and Morgan City was insignificant. Therefore, to have insisted to spend $4,000,000 of the $9,000,000 which the committee was willing to allocate to this project on the section between New Orleans and Morgan City would not have permitted the work to reach Houston where the interested parties who were willing to furnish the guaranty reside.

There was another consideration which induced me, at least, to think that it was the best obtainable. The Congress no longer appropriates money for specific projects. A lump sum is appropriated and the Chief of Engineers allocates such amounts as he sees fit to such projects as in his opinion and that of the Board of Engineers seem most meritorious. The then Chief of Engineers, General Taylor, was very friendly to the Intracoastal Canal project, and stated to me that the limitation of $9,000,000 to be expended between Plaquemine Locks and Galveston would cause no delay in obtaining the completion of the recommended Morgan City-New Orleans route. And then, again, there was no reason to expect that the rights of way in that section of the canal would very soon be obtained and turned over to the Government. Our judgment was right in this, because all of the rights of way are not yet turned over, although we expect, since the legislature has made provision for the payment of these rights of way, that they will soon be turned over. Therefore, we agreed on a language which the House committee incorporated and the Senate retained adopting the Plaquemine route as well as the Morgan City-New Orleans route, and the language only limited the amounts which the engineers were permitted to expend until further action by the Congress.

The act not only adopted the Morgan City-New Orleans route, but, under the practice of the allocation of funds by the Chief of Engineers since that route was adopted, all that was necessary was later to repeal the limitation of $9,000,000, whereupon the Chief of Engineers could allocate the money to any section of the canal. We were further promised, in an exchange of letters between the Chief of Engineers and the chairman of the Committee on Commerce of the Senate, that both the Chief of Engineers and the Committee on Commerce would support the additional $7,000,000 in the next bill.

The amounts appropriated, below stated, will show how well the situation was understood by all of those having anything to do with the legislation. Results were obtained promptly, as we expected.

Previous to June 30, 1924, there had been expended on the Intracoastal Canal, then called the Inland Waterways Canal, $3,294,689.39. Under the Dupré bill, to which I have already referred, there were authorized in the rivers and harbors act of March 3, 1925, the $9,000,000 heretofore referred to, and in the rivers and harbors act of January 21, 1927, $10,352,000.

Thus, it will be seen that the authorizations have exceeded the $16,000,000 originally estimated. From June 30, 1924, to June 30, 1930, there were expended on this project $3,618,714.91, and there were appropriated to June 30, 1930, $13,572,026.16, and there remained unexpended on June 30, 1930, $6,658,621.86.

I refer to this compromise in adopting the alternate route from Plaquemine via Morgan City to Galveston because at the time that this was done there was much criticism of those of us from Louisiana who took part in its adjustment with the Rivers and Harbors Committee. We were criticized for sacrificing the interest of New Orleans and of the people along the canal route between the Mississippi River via the Harvey Canal to Morgan City. Many of those who were not familiar with this adjustment found many things unpleasant to say about us, and I have given the history of this adjustment extensively to show that in the solution of the problem both the delegations from Louisiana and Texas were eminently fair one to the other and worked in perfect harmony, which they did at all times, without which the project would not be in its present advanced stage.

THE CHICAGO CANAL

One of the main extensions of the inland water transportation system, and one which will be of great benefit to the people of Louisiana and of the Gulf coast, is the 9-foot channel which has been authorized from the Great Lakes at Chicago to the Gulf of Mexico. Inasmuch as the extension of this service involves the question of diversion of water and may in the future lead to controversy between what are known as the Great Lakes cities and Chicago, I trust that I may be pardoned for stating a few facts which may not be known to all of you, in order that all might be informed of what is behind the controversy so that we may be found with our friends in future controversies and in line with our best interest.

Under a Senate resolution agreed to January 23, 1923, the Vice President appointed Senators McCormick, REED of Pennsylvania, BROOKHART, McKELLAR, and me, a special committee to investigate the problem of a 9-foot channel from the Great Lakes to the Gulf of Mexico. We immediately proceeded to Chicago to make personal inspection of the work already done by the city of Chicago and the State of Illinois and to grant hearings to those who wished to be heard pro and con. No representative from any of the Great Lake cities appeared before us in Chicago or on this inspection tour. There was controversy between the people who lived on the Illinois River and those who lived in the city of Chicago. Those who lived on the Illinois River protested against the pollution of the waters in the Illinois due to the use of that stream for the disposal of sewage. The city of Chicago was then engaged in constructing works for the disposal of sewage that would cost some $300,000,000. The work was going on as rapidly as possible. The city of Chicago depended entirely on Lake Michigan for its water supply. It was asking the Government to permit the diversion of more water from Lake Michigan to relieve the people on the Illinois River. Until the completion of her sewage plant it had no alternative but to send some of its sewage down the Illinois River.

On the other hand, the people on the Illinois River found great discomfort and a menace to health due to conditions we found. It was a difficult decision to render in view of the large number of people living in Chicago needing a pure-water supply, and we left this controversy without making a decision, hoping to discuss it upon reaching Washington. We had reduced all evidence to writing.

We proceeded from Chicago to New Orleans by water, inspecting all works already done, and holding hearings in every town or city along the entire route. We found no opposition on this tour to a diversion of the necessary quantity of water to afford navigation for barges during low stages of the water in the river. On the contrary, everybody was in favor of the project.

At that time we found that the city of Chicago had changed the course of the Chicago River and by dredging had forced the flow upstream and connected the source of the Chicago with the Desplaines River, a tributary of the Illinois. On the other hand, the State of Illinois, taking advantage of this new supply of water and finding it necessary in order to afford water transportation facilities to erect locks and dams, had taken advantage of the opportunity to put in the necessary machinery to develop electric power. Each, the city of Chicago and the State of Illinois, had spent millions of dollars in this work and were desirous of having the Government do such work in the lower part of the Illinois River as would assure a 9-foot channel the year round.

After completing our hearings at New Orleans, the committee returned to Washington, and for the first time the issue between the Great Lakes cities and the city of Chicago confronted us. Those opposed to the taking of water out of Lake Michigan showed that the lake levels were lower than they had been for a number of years. They showed that the lowering of the level of the water was affecting some of the harbors and opposed any diversion whatsoever. On the other hand, it was shown to us and borne out by Government records that the treaty between the United States and Canada dividing the flow of the water in the St. Lawrence River provided for a diversion at Chicago of 10,000 second-feet, which quantity was deducted from the total water which the United States was entitled to use to generate electric power. Therefore it was plain, and the record disclosed, that the United States had claimed the right to diverge 10,000 second-feet from Lake Michigan at Chicago. For many years there were strong advocates of connecting Lake Michigan by water with the Gulf, and this amount of water was deemed necessary to accomplish the feat. At the instance of Canada this amount had been deducted from the total which the United States would be permitted to take out of the St. Lawrence in compensation for what Canada took out of the St. Lawrence River to develop electric power.

We told the representatives of the Great Lakes cities opposing diversion that we had consulted the Chief of Engineers, who stated that for less than $30,000,000 not only could the water level of the Great Lakes be restored to its highest recorded level but might be increased, and that we were willing to recommend that this be done. But what appeared to me, and probably to the others, was that the opposition to the diversion would not be satisfied with a better condition than that charged to the diversion. Their opposition, although not admitted, was based on the effect on the trade movements rather than to the diversion itself. Our conclusions recommended that the 9-foot channel be adopted; let Chicago be allowed the maximum amount under the treaty necessary in order to relieve the people on the Illinois River until such time as their sewage plants were completed, and further stated that, but for the apparent opposition of the Great

Lakes cities, we should have recommended the elevation of works already existing on streams connecting the several Great Lakes so as to raise the water level of all.

The Great Lakes cities then went to court, seeking to prevent diversion of any waters from Lake Michigan at Chicago. I was familiar with this whole situation, and appealed to friends in Louisiana who, in turn, secured the moral support of the city of New Orleans and the State of Louisiana, and the State was authorized to intervene and did intervene in court in behalf of the city of Chicago, the defendant. The case went to the Supreme Court of the United States, and Chicago won. Upon that report of our committee was based the ultimate adoption of the 9-foot channel from Chicago connecting the existing barge line service at St. Louis.

The Illinois Canal project was adopted and authorized by act approved July 3, 1930.

POSSIBLE RECOVERIES ON COST OF INDUSTRIAL CANAL

As is well known, Louisiana came by its laws by inheritance from the Code Napoleon. As distinguished from most States of the Union, she has a civil law system instead of the common law, and under that system she has maintained control and ownership of the water front along all navigable streams. Under the Louisiana constitution the agency of the State may not alienate this ownership. That policy has appealed to the people of Louisiana since its separation from France, and is still part of the constitution of the State. I am thoroughly convinced that that policy is sound. The Congress itself, as I shall show in a moment, has adopted this policy with reference to rivers that are improved at the expense of the Government.

The State of Louisiana built the industrial canal connecting the Mississippi River with Lake Pontchartrain. Therefore, not a natural river, the State having built it, the ownership vests in the State and in amending the constitution so as to authorize the issuance of bonds for its construction, the same policy with reference to the water front of the canal has been adopted and enforced and there has been no alienation along the front of the canal. I have no criticism to make of this policy, since it is consistent with the policy of the Congress expressed in statutes approved March 4, 1915, and March 3, 1925.

Section 560 of the Code of Laws of the United States permits the Secretary of War to refund private contributions when the amount of the contribution as agreed on is in excess of the amount required, unless there is a stipulation to the contrary which requires that all of the contributions be kept by the Secretary of War, while under section 561 the Secretary is authorized and directed to pay without interest any amounts advanced by private parties if such amounts are advanced without the condition imposed by the Congress that it should not be reimbursed.

There are many instances prior to the enactment of the statute of March 4, 1915, in which the Congress made reimbursements for amounts advanced or expended, but each case rested on its own merit. Since the act of 1915 and the act of 1925, however, the Congress has by statute expressed a fixed policy with reference to contributions. It is also the policy of the Government that whenever any money is expended by the Government in the construction, or in the purchase, or refund of moneys advanced, that there must be public wharves to accommodate the general public and the commerce of the country.

As I said before, since it is the policy of the State to own all wharves which are dedicated to the public, there is nothing that would interfere with our Constitution or the policy of the people of Louisiana in asking that the Government refund to the State the cost of the construction of the Industrial Canal.

In the case of the Lake Charles Harbor, under which the Calcasieu and the Pass were improved, with the permission of the United States Government, by the Police Jury of Calcasieu Parish to a depth of 30 feet with a bottom width of 125 feet, and was paid for by the Police Jury of Calcasieu and the city of Lake Charles, recently, on June 20, 1930, the Congress authorized a survey of the work already done and asked that the engineers investigate and report on the amount expended by the local authorities in doing this work. The object of the supporters of this authorization to the Engineering Department is for the purpose of seeking to have the Government reimburse the amount advanced. Hearings thereunder will be held at Lake Charles on November 21, 1930.

Some years ago the town of Morgan City organized the Atchafalaya Bay Ship Channel Co. and opened a channel into the Gulf of Mexico. Under the act approved January 25, 1910, there was adopted a project on the Atchafalaya River from Morgan City to the Gulf of Mexico, which provided for taking over the channel dredged by local authorities and increasing the depth thereof to 20 feet. Under authority contained in the act adopting the project a contract was entered into with the company for dredging the channel to the depth of 20 feet and its subsequent maintenance for the next three years at the cost of $500,000 for the new work and $30,000 for maintenance. The work of dredging the channel to 20-foot depth was completed in October, 1911, and the contract for three years maintenance and dredging was terminated October 14, 1914. So that the company was paid $530,000 for the work and maintenance.

The Government took over the Hanson Canal, for which it paid $65,000; the Harvey Canal for $515,000; and the Barataria and Lafourche Canal, commonly known as "The company canal," for $84,000.

All of these instances are cases which come to mind in the State of Louisiana alone. Of course, there are many other instances in practically every State of the Union having harbors and navigable streams.

In view of these cases cited, it would seem that the State of Louisiana should be able to recover from the Federal Government the amount expended in the construction of the Industrial Canal. Of course, if that were done, the tolls imposed for the use of this canal would have to be discontinued.

This intracoastal project between New Orleans and Mobile Bay was adopted and authorized by act approved June 3, 1930, just before the recess of Congress. It will be timely to offer a bill at the reconvening of Congress to have the Government take over the Industrial Canal and to reimburse Louisiana for its expenditure in constructing this canal, as it is part of the route adopted. I shall offer such a bill on the first day of the coming session.

In the meantime, the Government, recognizing the ownership of the canal in the State of Louisiana and consequently its right to charge tolls, is now paying for the use of the Industrial Canal. During the Railroad Administration, which formerly operated the Inland & Coastwise Waterways Service, the Lake Borne Canal was used, and, I am informed by General Ashburn, with disastrous financial results. But at that time it was necessary to use the Lake Borne Canal because the Industrial Canal had not been completed. The Inland & Coastwise Waterways Service paid the Alabama & New Orleans Canal Co. $20,000 a year for the privilege of operating through the canal, and, in addition, was committed to keep the canal in repair. The contract expired on June 30, 1923. As soon as the Industrial Canal became available it was immediately decided not to use the Lake Borne Canal because it was very much cheaper to pay tolls for boats passing through the Industrial Canal, and I am informed that the cost for using the Industrial Canal runs between $300 and $600 a month, an average of about $400 per month, and there is no cost for the upkeep of the canal.

Much progress has been made in the extension of the Intracoastal Canal from New Orleans through the Industrial Canal, Lake Pontchartrain to Mobile Bay, thence to Pensacola and to the Appalachicola River in Florida and up the Appalachicola and Chattahoochie Rivers to Columbus, Ga., thus extending the Intracoastal Canal with a new system across the Mississippi River eastward and thence along the Atlantic coast to Boston.

A report of preliminary examination and survey from Pensacola, Fla., to Mobile Bay, Ala., was transmitted to Congress June 19, 1929, and printed in House Document No. 42, Seventy-first Congress, first session. A report of preliminary examination and survey of the portion of the inland waterway from Mobile Bay to New Orleans was transmitted to Congress April 9, 1930, and printed in House Document No. 341, Seventy-first Congress, second session. These recommended projects were adopted, as I said before, in the harbors and rivers act approved July 3, 1930. The report on the operation of the inland waterway from the Appalachicola River to Mobile Bay is held in abeyance pending a report on survey of the Chattahoochie River with a view to improvement for navigation in combination with flood control, power development, and irrigation, under the provisions of House Document No. 308, Sixty-ninth Congress, first session.

It remains for those of us who have been working for the completion of the Intracoastal Canal of Louisiana and Texas to do all we can to assist in the completion of the intracoastal waterway from New Orleans east along the coast and through Florida to connect with the Atlantic. This will make the canal, in which we are directly interested, on the Gulf coast much more valuable to us.

CONCLUSION

I feel that I can not conclude my remarks without giving due credit to Messrs. Roy Miller and René F. Clerc for their intelligent work in Washington in assisting the Representatives and Senators from Louisiana and Texas, and I must say to this association that its insistent and persistent work did much to expedite the success of the project. It wisely enlisted the support of the Mississippi River Association and all other similiar bodies engaged in advancing water transportation. The intelligent way in which it placed facts before the public of the Nation through these organizations greatly assisted us in obtaining favorable action in the Congress.

Especially do I wish to commend the persistent and invaluable efforts of the Hon. C. S. E. Holland, the president of this association, as well as the other officers, who have made special sacrifice of time and funds in advancing the cause.

THE WORLD COURT—ADDRESS BY H. RALPH BURTON

Mr. DILL. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered over the radio, Station WJSV, on December 2, 1930, by Mr. H. Ralph Burton, of Washington, D. C., on the subject of the World Court.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Good evening, ladies and gentlemen: I have been asked to address you on a subject which affects the interests of every citizen—the World Court.

I think it would be well, at the very outset of my remarks, to define with some particularity just what is meant when reference

is made to the World Court, for the term has apparently acquired in the minds of a great number of people a deceptive connotation.

It will no doubt come as a distinct surprise to many to learn that, instead of being a court created as an independent tribunal directly responsible to the several member nations, it is in reality a court established by virtue of the provisions of the Covenant of the League of Nations. It acts not only as a judicial body for the settlement of disputes between nations, but also as legal advisor to the league, itself, and, in this last-named capacity, is required to render to the league advance opinions on any questions which the league may submit to it. The significance of these advance opinions I shall touch on later. The inevitable domination of the court by the league will be appreciated when it is understood that the court's judges are selected by the league, appointed by the league, and paid by the league, and, in the majority of cases, as shall be shown, the league is the only enforcing agency which can give effect to the court's decisions.

"World Court" is patently a misnomer, which is misleading to those who are asked to support it, and to believe in it as an independent and impartial judicial tribunal to which the nations of the world may look, without fear or favor, for the just and equitable determination of international disputes. "League Court" is a more appropriate appellation, and the one used in practically all European countries to-day, with the added advantage that it prevents this court from being confused with The Hague Court of Arbitration, as is so often done in the United States.

This, then, is what the World Court really is, and thus do we find ourselves to-day, presented with a proposition on the part of European nations to do what, through the decades of our meteoric rise to the most enviable position among the nations of the world, we have steadfastly refused to do, and that is to become entangled in an alliance developed out of the chaos in Europe by adherence to the "World Court," technically known as the Permanent Court of International Justice, a department of the League of Nations, membership in which this Nation refused by an overwhelming majority only a few years ago.

European nations now seek to embroil us in their problems for which we are in no way responsible, each with the hope, no doubt, that our resources might be enlisted to relieve their burdens regardless of what disaster would be wrought to us. Brought forth under the guise of war prevention guarantees and assurances of world peace, those schemes have been accepted by thousands of our people without even attempting an analysis which would clearly show that, instead of a guarantee of peace, it is almost an assurance that in any conflict in Europe or elsewhere our Army and our Navy and our men can be impressed into service to compel obedience to the mandates of the League of Nations, bolstered up by the judicial decrees of its self-created so-called World Court in which the voice of this Nation would be feebly heard through the medium of one vote of one member, himself elected and paid by that same League of Nations, which not only will tell us to fight but when to fight and where to fight, though it is our own men who do that fighting.

Let us consider some of the objections to the World Court.

The assembly of the League of Nations makes the laws under which the court operates. We would therefore have no voice whatever in the making of the laws under which it would render its decisions.

We would have but 1 vote against 54 votes in the assembly of the league and but 1 vote against 10 in the council of the league; and in the World Court (so called) we would have but 1 vote against 10 others.

There has so far been no definite and complete code of laws adopted for the guidance of the Permanent Court of International Justice and therefore we have nothing upon which to base any conjecture as to what its decisions might be.

In spite of the fact that under article 8 of the covenant of the League of Nations a program of disarmament is provided, the League of Nations in the 10 years of its existence has made no progress whatever in that direction, but on the contrary the land armaments of European nations are now far larger than before the World War in addition to which the naval establishments of some nations have been greatly increased.

As has already been stated, the judges of the world court are selected and elected by the League of Nations, as was done in the case of the Hon. Charles Evans Hughes and Hon. Frank B. Kellogg and the salaries to those judges are paid exclusively by the league.

There is no higher court, no appellate tribunal, from which decisions of the world court may be appealed, and therefore the only recourse that the United States would have against an unfair decision would be to its own Army and Navy, and they are being steadily reduced.

The Senate of the United States, when it approved our entry into the world court under certain reservations, specifically provided under section 2 of reservation 5 that the world court should not render an advisory opinion "in any question in which the United States has or claims an interest." This provision was designed specifically to prevent the court from stating in advance what its opinion would be on questions relating to the Monroe doctrine, the restriction of immigration, tariff, and such other questions which directly and vitally affect us. It was apparently not agreeable to the signatories of the League of Nations to admit us into the league court with such reservations and after exhausting every means to avoid these restrictions, Mr. Elihu Root was chosen to find a way around the difficulty. He finally offered a substitute, which amounts to nothing more or less than a repetition of what was already provided, that the United States may have the privilege of withdrawing from the court.

It is of more than passing interest to remember that we had a situation similar to this in our own history in the War of Secession, which was provoked by a state of affairs almost identical. The States of the South felt that although they had become a part of the United States they still had the right to secede, with the result that probably the greatest civil war in history followed. Have we any reason to believe, or have we any guaranty, that in the event we wish to withdraw from the World Court we will not be subjected to an adverse decision of that tribunal as to our right to do so? If such a dispute arose we might find ourselves pitted against the world and at a time when our military and naval strength was reduced in efficiency through the urging of pacifistic doctrines.

Is there, after all, any reason why the United States should yield to the wishes of a group of foreign nations banded together in a league to submit its problems to their court? It means surrendering our sacred independence to a court which, statements to the contrary notwithstanding, is admittedly a creature of the League of Nations, that same league which provides for an international military force to effect its mandates.

There is not sufficient time at my disposal to discuss the many objections to our joining the League of Nations, much as I would like to do so, nor can I discuss the relationship of the league to the court in all its phases. But it is necessary to refer in some degree to certain provisions of the league covenant, because through sheer audacity foreign nations have already without our consent assumed jurisdiction over the United States through the league, and we would do well, therefore, to contemplate how far they might go if we submitted to their court.

Nonmember nations, without their consent, have been placed under the jurisdiction of the League of Nations in such a way that in the event of a dispute such nations must be prepared to face war waged against them by all members of the league.

Article 17 of the covenant of the league reads:

"In the event of a dispute between a member of the league and a State which is not a member of the league, or between States not members of the league, the State or States not members of the league shall be invited to accept the obligations of membership in the league for the purpose of such dispute, upon such conditions as the council may deem just.

"If a State so invited shall refuse to accept the obligations of membership in the league for the purposes of such dispute, and shall resort to arms against a member of the league, the provisions of article 16 shall be applicable as against the State taking such action."

Article 17, therefore, upon a careful interpretation will be found to exceed the scope of interrelation of members of the league, and assumes on its behalf jurisdiction over nonmember nations, placing in the council authority to determine the conditions upon which such nonmembers are "invited" to become members for the purpose of a dispute that has arisen; and it goes further by giving to the council the authority to modify the provisions of articles 12 to 16 of the covenant, which have to do with arbitration and settlements of disputes, as it may deem necessary. This article with almost unprecedented presumption even goes to the extent of providing that the council, upon such "invitation" (not if and after it is accepted, but before)—

"May institute an inquiry into the circumstances of the dispute and recommend such action as may seem best."

This includes the United States, as nonmembers under this section are treated in exactly the same manner as members.

Article 16 of the covenant of the league, which by article 17, quoted above, is invoked for the purpose of compelling obedience by nonmembers as well as members, provides that should a nonmember nation resort to war, even to protect its interests against a member nation, it would—

"Be deemed to have committed an act of war against all members of the league."

And to quote further from said article:

"It shall be the duty of the council in such cases to recommend to the several governments concerned what effective military, naval, or air force the members of the league shall severally contribute to the armed forces to be used to protect the covenants of the league."

There is not the slightest question but that under article 17, in conjunction with article 16, if the United States after becoming a member of the World Court, decided to withdraw for reasons which it believed good and sufficient, and the court rendered a decision adverse to its withdrawal, it could regain its independence only by a war against the entire membership of the League of Nations, because there is no higher tribunal to which an appeal from the decisions of the World Court may be made except the military and naval forces of the United States. We would, therefore, as a member of the World Court, be compelled to submit to its decisions, regardless of what we thought as to the fairness of its action, and if any dispute arose with reference to such a decision, the League of Nations, under article 17, regardless of whether a country is a member of the league or not, would "invite" (in other words, demand) that it become a member for the purpose of the dispute. Upon refusal on our part to do so and resort to war to maintain what it believed to be right, the United States would be subject to article 16, the provisions of which have just been quoted and the council could therefore "recommend to the several governments concerned what effective military naval or air force the

members of the league shall severally contribute to the armed forces to be used." Could there possibly be a dispute between nations more likely to involve the displeasure of the league than a withdrawal from the World Court, being, as it is, the child of the league, created by it, its members elected and paid by it, and its every activity synchronized with that of the league?

Let us consider a dispute that might well arise, and assume that one of the nations debtor to us should, for reasons which it deemed sufficient, repudiate its part of the $12,000,000,000 due the United States for loans during the World War. As a member of the World Court the merits of the controversy would have to be passed on by the court and in due course a decision rendered.

We will assume further that such decision would be in favor of our opponent, an assumption that need not strain the powers of imagination when one considers that the interests of every other member nation comprising the court are opposed to our own, and when one remembers the constant agitation by foreign debtor nations for us to cancel those debts. Friendless and alone we would stand before the bar of the new international court of justice and have our rights passed on by judges drawn from the ranks of our debtors. There would be no appeal from the court's decision, regardless of its unfairness, and any effort on our part as an independent nation to insist upon payment of what was justly due us would result in our being faced by the entire league, acting in concert and by force of arms, to give effect to the decision of its court.

Is it conceivable that the people of the United States are to be considered so lacking in intelligence and perception that they are unable to appreciate the expressed determination on the part of foreign nations to subject the United States to the provisions of the covenant of the league enhanced through the medium of entry into the World Court?

Would it be possible for even a school boy to read the provisions of article 17 in conjunction with article 16 of the covenant and not appreciate the menace which they contain?

Could anything possibly be more inconsistent than those principles enunciated in the foregoing treaty and the Kellogg peace pact; one providing machinery of war to compel obedience to the decisions of the council of the league, which would, of course, be guided by the World Court, and the others signed with great solemnity by most of the same nations?

As a very flagrant existing instance of how citizens are misled by the failure of Government officials to tell the whole truth about our foreign relations, let me refer briefly to the Kellogg peace pact. No greater piece of diplomatic chicanery or hypocrisy was ever foisted upon the unsuspecting public than that treaty.

If you should inquire or write to the State Department for a copy of what is know as the Kellogg peace pact providing for the renunciation of war, you would be given a pamphlet entitled "Treaty Series, No. 796," which contains the following:

ARTICLE 1

"The high contracting parties solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies, and renounce it as an instrument of national policy in their relations with one another."

ARTICLE 2

"The high contracting parties agree that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be which may arise between them shall never be sought except by pacific means."

ARTICLE 3

This relates solely to signatures.

You would therefore have reason to believe, and upon no less than the authority of the Department of State, that those nations which had signed had really renounced war as an instrument of national policy, and that, ipso facto, all wars were renounced, and upon that representation the people of the United States were asked to consent to a reduction in their national defense, which they have done in the past few months. But this is absolutely untrue because every nation appearing among the signatories to that treaty made exceptions to its provisions which, taken together, permit war in the following instances:

1. In self-defense.
2. Against any State which breaks the treaty.
3. In execution of obligations under the league covenants.
4. In execution of obligations under the Locarno agreement.
5. In execution of obligations under treaties guaranteeing neutrality, which presumably include the French alliance.

It is quite apparent to anyone that these exceptions are destructive of the very essence of the Kellogg peace pact as held out to the public, which has a right to expect such fundamental exceptions to be included as a part of the treaty itself.

They were, however, agreed upon through exchange of correspondence, wherein it was understood that they were to have the same force and effect as if included in the treaty, all of which is illustrated by the following extract taken from a letter from the British Secretary of State for Foreign Affairs (Chamberlain) to the American Ambassador (Houghton) with reference to the Kellogg peace pact, dated London, May 19, 1928, typical of all the others:

* * * No. 4. "Mr. Kellogg has made it clear in the speech to which I have referred above that he regards the right of self-defense as inalienable, and His Majesty's Government are disposed to think that on this question no addition to the text is necessary.

* * * No. 6. "Mr. Kellogg's speech, however, shows that he put forward for acceptance the text of the proposed treaty upon the understanding that violation of the undertaking by one party would free the remaining parties from the obligation to observe its terms in respect of the treaty-breaking State.

* * * No. 7. "If it is agreed that this is the principle which will apply in the case of this particular treaty, His Majesty's Government are satisfied and will not ask for the insertion of any amendment. Means can no doubt be found without difficulty of placing this understanding on record in some appropriate manner so that it may have equal value with the terms of the treaty itself."

This is another example of that secret diplomacy which caused the World War, caused the tragedies following the World War, and will cause further tragedies which will threaten the very safety of the human race. This is another instance where the published text of a treaty is only a screen for a secret agreement made between governments without the knowledge or consent of the millions of men and women who will have to pay the cost in blood and treasure.

I now continue the quotation:

* * * No. 8. "A clash might thus conceivably arise between the existing treaties and the proposed pact unless it is understood that the obligations of the new engagement will cease to operate in respect of the party which breaks its pledges and adopts hostile measures against one of its cocontractants."

* * * No. 9. "Mr. Kellogg has made it clear in the speech to which I have drawn attention that he had no intention by the terms of the new treaty of preventing the parties to the covenant of the league or to the Locarno treaty from fulfilling their obligations."

* * * No. 10. "The language of article 1, as to the renunciation of war as an instrument of national policy, renders it desirable that I should remind your excellency that there are certain regions of the world the welfare and integrity of which constitute a special and vital interest of our peace and safety. His Majesty's Government have been at pains to make it clear in the past that interference with these regions can not be suffered. Their protection against attack is to the British Empire a measure of self-defense. It must be clearly understood that His Majesty's Government in Great Britain accept the new treaty upon the distinct understanding that it does not prejudice their freedom of action in this respect."

It would seem that the only purpose in not including these exceptions in the treaty itself, where they belong, might reasonably be attributed to the desire upon the part of some one to give the treaty a meaning which it does not have. This apparently has been accomplished, as pacifists are constantly using that interpretation as a reason for scrapping our battleships and was cited as a basis for a "consultative pact" but still it has not been explained that war has not been renounced as an instrument of national policy in the settlement of all international disputes.

And now, to go a step further, how can our people be expected to believe in the sincerity of those statesmen who advise membership in the World Court, directly affected by the war enforcement provisions of the league, when at the same time they indorse the principles of the Kellogg peace pact, renouncing war as an instrument of national policy, unless all of the provisions for enforcement by war under the covenant of the League of Nations be abrogated and all the exceptions to the Kellogg peace pact be considered as not a part of that treaty?

If the war provisions of the league covenant were abrogated and the Kellogg peace pact shorn of its damning exceptions and confined to the articles (Nos. 1 and 2) which purport to express its purpose, the League of Nations, of course, would automatically go out of existence, for it would then be but a voice crying in the wilderness, with no power to force the nations of the world to heed its pronouncements and no mission to fulfill which could not better be fulfilled by The Hague Court of Arbitration. It needs no intensive argument to make clear that it is utterly inconsistent to maintain the authority to make war upon nations as provided under articles 16 and 17 of the covenant and at the same time uphold those principles enunciated in articles 1 and 2 of the Kellogg peace pact.

As final, absolute, and conclusive proof of how impossible would be enforcement of the provisions of the Kellogg peace pact as represented to the people of the United States as a reason for the reduction of our national defense let us refer to article 20 of the league covenant, which places an unqualified obligation upon its members, as follows:

"The members of the league * * * solemnly undertake that they will not hereafter enter into any engagements inconsistent with the terms thereof."

Article 16, as hereinbefore stated, makes provision for a means of enforcing the decisions of the council, as follows:

"It shall be the duty of the council in such case to recommend to the several governments concerned what effective military, naval, or air force the members of the league shall severally contribute to the armed forces to be used to protect the covenants of the league."

How, then, would it be possible for those same nations subsequent to the signing of that agreement to promise to renounce war as an instrument in the settlement of disputes as provided in articles 1 and 2 of the Kellogg peace pact when they provide for war in article 16 and, in article 20, agree not to sign anything inconsistent with that provision?

If they were absolutely sincere in declaring such to be the case, then not only should the provisions of articles 16 and 17 of the Covenant of the League of Nations have been abrogated forthwith after the signing of the Kellogg peace pact but the

Covenant itself with its court-making power as well, for the two as held out to the public can not consistently exist at the same time when their basic principles are diametrically opposed.

Is it not reasonable to suppose that if such misrepresentation as shown is practiced in the case of the Kellogg peace pact that it will be done in other instances?

Is it not, therefore, as important, if not more so, to avoid the dangers of foreign alliances because of what is unseen and untold as it is for reasons which we do know, and, certainly, if we wish our independence to continue, we can not risk it upon foreign-entanglement treaties if the Kellogg peace pact is an example of what we are to expect from those to whom we intrust our safety in foreign relations.

If war is not to be considered a national policy in the relation of one nation to another, the league would serve no useful purpose, and all disputes of an international character could be referred to the Hague Court of Arbitration, of which we are a member, which has existed for years, and which has every attribute desirable without the potentialities of war, as its decisions depend for enforcement only upon the moral obligations of nations.

Do not think for a moment because one holds an office of prominence in our Government that words of unfailing wisdom must necessarily flow from his lips; many positions in our Federal system are held by men who are imbued with ideas and doctrines which I believe, and I am sure you believe, are inconsistent with the traditional policies of our country. You are vested, each and every one of you, not only with the potentialities but with the right, God-given and constitutionally given, to think for yourselves; and it is to that ability and to that right that I appeal for your independent decision based upon such facts as are presented to you. When you blandly accept doctrines promulgated at Washington without the precaution of careful analysis to determine just what they mean, you are taken the chance of finding your country bound by foreign entanglements when it is too late to protest.

THE OIL INDUSTRY

Mr. THOMAS of Oklahoma. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial appearing in the Tulsa (Okla.) Tribune on conditions in the oil industry and also a news story appearing in the Moline Advance, printed at Moline, Elk County, Kans., on the same subject.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Tulsa (Okla.) Tribune, January 15, 1931]

CERTAIN PITTSBURGH INTERESTS

Traders on the New York Curb became suddenly interested in the stock of the Colombian Syndicate last week. Increased activity in this long-quiet listing was noticeable for several days. Brokers wondered what was back of it. They investigated in order that they might report to their customers.

The investigation has revealed plenty. And the independent oil industry of Oklahoma should be as greatly interested in the report as any curb trader who is on the lookout for bargains.

The stock of the Colombian syndicate was brought out, according to the brokers' reports, by "certain New York and Pittsburgh interests" in 1919 at $11 a share. The syndicate listed as its assets leases on more than 700,000 acres of valuable oil lands in the Lebrija Valley district of Colombia. It was ready to begin development of this acreage, which had already been proven for prolific potential production. A contract had been entered with the Gulf Oil Co., which was prepared to produce and market the oil, paying the Colombian syndicate 10 per cent of cash profit plus 6 per cent of the oil. The "certain New York and Pittsburgh interests" were sitting pretty. Their 16 per cent was sure. In 1919 a share of the Colombian syndicate's stock at $11 per seemed a whale of a good thing.

As often happens in Latin American countries where American capital is invested, however, a period of "governmental instability" began in Colombia about this time. A man who feared that "certain New York and Pittsburgh interests," and perhaps British and Dutch interests as well, were about to drain the immense oil wealth of his country, became President of Colombia. He secured passage of a law prohibiting exportation of Colombian oil.

Investors and stock traders and gamblers lost interest in the Colombian syndicate. It looked very much as though "certain New York and Pittsburgh interests" had a white elephant on their hands. The syndicate stock dropped from $11 par to a low of 25 cents. Trading ceased. The issue became a has-been.

For a dozen years this was the status of the Colombian Syndicate's affairs. Its rich Colombian oil leases were just so much dead weight so long as the only market outlet for Colombian oil was, by Colombian law, that afforded by Colombia. How those "certain New York and Pittsburgh interests" must have longed during those years for revolution in Colombia as an excuse for our Government to send the marines to the little Republic to "guarantee governmental stability."

But the Colombians didn't revolt. The "New York and Pittsburgh interests" had to bide their time. They bided well.

Señor Enrique Olaya Herrera was Colombian minister to the United States during much of this time. He kept his eyes open and was somehow convinced that his Government had visited a grave injustice upon certain New York and Pittsburgh interests. He became most sympathetic. His one ambition was to return to Colombia and become president in order that he might right the wrong.

Señor Herrera evidently found strong support in carrying out this purpose. No doubt those New York and Pittsburgh interests stood back of him to the last man—and to an appreciable number of dollars—when he reentered the arena of Colombia's domestic politics as a candidate for president. He won.

Last week, when interest in the stock of the Colombian Syndicate was revived, somebody decided to see what was going on behind the scenes. It was learned that a special subcommittee of the Colombian senate had recommended repeal of the present law prohibiting exports of oil. With Señor Herrera sitting as president, and having a congressional majority back of him, chances appeared good that the repeal would be speedily effected.

This alone was good news to holders of the Colombian Syndicate's stock, and to all who were looking for a good investment. Additional good news was received in the form of a rumor that the South American Gulf Oil Corporation, the subsidiary of the Gulf in charge of Colombian developments, had stated its intentions to begin work immediately on the Colombian properties of the Colombian Syndicate. This added to the interest.

The Colombian Syndicate, though, needed more than a guarantee from the Colombian Government that it could export its Colombian oil. Before holders of the stock could feel that it was a good investment, they had to know almost that ready market would be found for every barrel of oil produced on those rich leases.

At this crucial moment came another promising development. The United States Government, through Secretary of the Interior Wilbur, came to the rescue of the Colombian Syndicate's stockholders. It virtually announced to all who wanted to buy this stock that it would see that the rich United States oil market would be held open for their company as long as the Colombian leases could be drained of a drop of production for export. It offered them free access to the world's richest petroleum market, at whatever cost to the thousands of American citizens who depend upon the production of oil from United States leases for a living.

This seemed a gilt-edge guarantee. Would it hold good? Assuredly so. All the brokers who were on the lookout for new customers were quick to seize upon this stock issue for promotion.

Any roughneck in any oil field in the United States can put two and two together from these facts and see what was back of Secretary Wilbur's sudden announcement of opposition to an oil tariff.

Those "certain New York and Pittsburgh interests" can be spelled out in full in the name of Andrew W. Mellon, Secretary of the Treasury in the Cabinet of three United States Presidents. There are no interests in Pittsburgh besides the Mellon interests. The Gulf Oil Corporation and all its subsidiaries are Andrew W. Mellon.

In 1919 Andrew W. Mellon got hold of Latin American oil concessions that, if he could only be assured of a market for their production, would make him the most powerful figure in the world's richest industry. A few months later President Harding suddenly decided, while giving away the oil reserves owned by the United States Government, that all the privately owned oil in this country should be reserved for future use so long as our needs could be supplied from foreign fields. He inaugurated this policy of "oil conservation."

Andrew W. Mellon dominated the Harding administration in its last days. He was reappointed by President Coolidge, who immediately decided that "oil conservation" was one of the biggest issues facing him. A Federal "oil conservation board" was created to handle the matter. This board continued to preach the "conservation" policy hatched by the weakling who all but dissipated the public-owned oil of this country across the top of the poker table in the little green house on K Street. While increasing thousands of American oil-field workers and coal miners were losing their jobs as a direct result of increasing imports of oil produced from Venezuelan leases by certain New York, Pittsburgh, British, and Dutch interests, these great "conservationists" hounded the American people into the belief that they should reserve the ever-increasing visible supply of American oil until the owners of rich foreign leases were permitted to exhaust their production, and until oil should no longer be in use as a fuel.

Andrew W. Mellon dominated the Coolidge administration throughout. He was reappointed by President Hoover, who has left the administration of oil affairs in the hands of this same group of sycophants. They parrot the same inane preachments made by President Harding when he launched the "conservation" propaganda to pave the way for increased importation of Venezuelan and Colombian oil. They continue to do everything within their power for certain New York and Pittsburgh interests.

And there are United States Senators so blind that, though professing disgust with Andrew W. Mellon's running our Government for his own private benefit, they can not see what is going on.

[From the Moline Advance, Moline, Elk County, Kans., Thursday, January 15, 1931]

LET US HAVE PEACE

By Stephen H. Frazier

For 70 years the leaders of the oil industry have met every production problem. At no time did the producers lag in supplying all the crude oil necessary.

In drilling wells, inventive minds have kept pace with the demand for equipment to drill wells to the depth of 10,000 feet. In geology the science has so far advanced that geologists are indispensable, not only in locating oil and gas pools, but also in measuring probable production and developing scientific methods of lifting the oil. In refining crude oil there has been an evolution from its use as a medicine to a list of 2,000 articles useful in every phase of our complex civilization.

In equipment every demand has been anticipated. Pipe is made that will hold together and withstand the pressure of a column of water 10,000 feet high. Cracking stills are made out of a billet of steel weighing a quarter of a million pounds. The walls of these stills are 2½ inches thick to withstand an enormous pressure to make antiknock gasoline, now necessary for high compression engines. There are also long pipe lines, engines, pumps, tank cars, and the efficient filling station where contact is made with the purchaser of gasoline, and where the marketing end of the industry has placed men of fine courtesy who have won the respect and confidence of the public.

In distribution of the products of petroleum the men engaged have been well named "the shock troops of the oil industry." To them belongs the task of selling, and in every nook and corner in the world, in the Arctic Circle, at headquarters of the mighty rivers of the Tropics, in the interior of Africa, where cannibals still live, you will hear the bark of the gas engine—and on sale the products of crude oil. No industry has had a more efficient, aggressive salesmanship, and in remote places such sufficient quantities of its products in stock.

Where Noah made his ark seaworthy by daubing its hull with thick oil (asphalt), where the Egyptian princess daubed the basket of reeds with thick oil (asphalt) and thereby saved to mankind the great law giver, Moses, where ancient men of the Nile embalmed their dead with thick oil (asphalt), where the fire worshippers burned oil for the salvation of their souls and then for 2,000 years or more failed to see the useful products in the black pitch, American salesmen are selling the refined products of American crude oil to the descendants of those who used only the thick oil. We advanced more in 70 years since Drake drilled his first well than had been the progress from the combined efforts of man since the dawn of time.

The oil industry, which now ranks with the major industries in number of men employed, capital invested, and diffusion of its benefits, is faced with a serious problem—that of saving the 40,000 small oil wells in Kansas and Oklahoma. Meetings have been held, committees have been working, governors of States have thundered, President Hoover has given it serious thought. Now in Washington, D. C., are meeting citizens of several States to implore Congress in some way to curtail the importation of oil to make an outlet for these wells. The American Petroleum Institute has had a meeting, the captains of the big oil companies have been quarreling trying to convince the public that their competitors are to blame, calling each other names, talking, carrying on newspaper propaganda that distorts the facts.

In the meantime the wells are being ruined, the life time endeavors of thousands of American citizens are going into extinction, banks calling loans, business men demanding payment, what has for 25 years been one of the prosperous sections of the Nation in past being laid waste, whole counties which have been active in development of oil now dormant, leases being surrendered to the farmers, drillers, tool dressers, pumpers, and all other labor idle and many without funds. This is a dangerous state of affairs. Elk County, Kans., where one-ninth of all property on the tax books is oil property suffers the loss of a large part of its assets. So the State is affected. Is is bordering on a condition of chaos.

All this time the so-called leaders are talking and continue to talk and the salt water is seeping in, gradually, relentlessly destroying the oil wells. We cry out for a Roosevelt who would have said, "Take care of these stripper wells first, then do your talking." And do not forget that is just what Teddy would have done—but we are in an age of "we will refer it to a committee who will report when they get ready."

Let us make a word picture of what the immortal Roosevelt would have done in this crisis. At first report he would have called into Washington all the leaders of the oil industry to the White House when all were seated Teddy would have said, "A great natural resource essential to the welfare of the Nation is in peril. A great section of our country is laid waste, thousands of useful citizens are being ruined, 200,000,000 barrels of oil that it is possible to recover is going to waste; human rights, national rights, are being violated." Then we fancy the famous teeth, part of this justly famous American President would appear to the oil leaders like the teeth of a tiger. We hear him roaring out, "Go and take care of those oil wells and do it now. Do not talk back to me, if you must talk come back in 90 days, your job now is to take care of those oil wells, Good bye, gentlemen—and by the way just before you go I would suggest that I may call your attention to a way out. Let me see, I learn about 30,000 barrels is all the distressed oil now without a market, that is 900,000 barrels a month.

"Will the gentleman representing the Standard Oil Co. of Indiana please come forward? I find you used American money, made from sales of your goods, to import from foreign lands in 1929 crude oil to the amount of 12,574,777 barrels, gasoline 1,924,312 barrels (1 barrel of gasoline equals 2½ barrels of crude oil), and fuel oil and other products 20,599,448 barrels, in around 36,000,000 barrels of oil.

"Will the gentleman representing the Standard Oil Co. of New Jersey come forward? Thank you, I see your company imported 22,588,000 barrels of crude and 294,460 barrels of other products. Very much pleased to note you did not import gasoline, thereby giving American labor work.

"Will the gentleman representing the Gulf Oil Co. come forward? I see we are improving all the time; while you did not import any gasoline or other products I do note you imported 21,691,487 barrels of crude.

"I understand the Shell Oil Co. has a representative present; would he kindly come forward? Thank you. I see by the figures you must have a sizeable refinery in Venezuela. I see it is rated at 250,000 barrels daily capacity, that is one of the world's largest refineries, so I have gone into your case a little more thoroughly. I note you dumped, free of duty into our country, 3,501,348 barrels of gasoline; this equals 8,753,070 of crude oil. I also note you shipped in other products 7,699,311 barrels.

"This total we find that you four imported 76 per cent of all crude oil, 81 per cent of all gasoline, and 95 per cent of all other products.

"Now I want to be fair to your companies, but I find you are all interested in a large way as producers in the Mid-Continent field. One or the other's pipe lines of yours reach within a few miles of this distressed oil area and I want you to reduce your imports and take this distressed oil and do it now.

"Now, I want to address a word to you gentlemen representing the Atlantic Refining Co. I find you imported 2,863,794 barrels and Cities Service Co. 1,843,170 barrels; Sinclair Refining Co. 5,850,000 barrels; Sun Oil Co., 167,171 barrels; Texas Corporation, 1,800,656 barrels of crude and 445,000 of other products; Tide Water Co., 4,207,577 barrels of crude; and Warner Quinlin Co., 2,005,807 barrels; and 150 other little importers 2,106,186 barrels. In all, I find your companies imported a grand total, reduced to crude oil, roughly, 121,000,000 barrels of oil. This is, roughly, 10 per cent of our comsumption. Now, I want to ask you gentlemen is it possible that there is not enough business ability, patriotism, common fairness to the American oil producer and allied industries, farmers, and the public interest to meet this simple issue?

"Do I hear some one say, 'Business is business. We will buy our oil where we can buy the cheapest, regardless of the stripper oil wells going to salt water, and you have no law to stop us. The Senate of the United States is with us, and you can't put a tariff on crude oil?'" I think I can see our beloved Teddy, the President of all the oppressed, champion of the people, rage and thunder. "There are rights that transcend all laws of the land or of business. There are human rights, national rights; the very safety of the national scheme of government is involved; our labor is idle; our property is going to destruction, useful citizens going bankrupt. Cut down these imports or I will invoke the law of the embargo. If anyone is to be crucified, it will not be the citizens; it will be your companies. You are now dismissed."

But I have been in a trance. I wake up. I find we have no 2-fisted he-men left. The leaders of the Nation are listening to the siren voice of the importers. They simply will not hearken to the cry without the castle, crying for bread. The power says, "Why doesn't the mob eat cake?"

The Nation is at the crossroads; a danger sign is up. Are we plunging to a fall? America first, last, and always. Gentlemen, permit me to quote Shakespeare, "Wherein I'll catch the conscience of the king."

RIO GRANDE IRRIGATION PROJECT

Mr. THOMAS of Idaho. From the Committee on Irrigation and Reclamation I report back favorably without amendment the joint resolution (S. J. Res. 222) relating to the authority of the Secretary of the Interior to enter into a contract with the Rio Grande project, and I submit a report (No. 1330) thereon.

Mr. BRATTON. I ask unanimous consent for the immediate consideration of the joint resolution reported by the Senator from Idaho.

The VICE PRESIDENT. Let the joint resolution be read for the information of the Senate.

The Chief Clerk read the joint resolution, as follows:

Resolved, etc., That nothing contained in the act approved May 28, 1928 (45 Stat. 785), entitled "An act extending the time of construction payments on the Rio Grande Federal irrigation project, New Mexico-Texas," shall be construed to deny authority to the Secretary of the Interior to enter into a contract with the Elephant Butte irrigation district of New Mexico and/or El Paso County Water Improvement District No. 1, of Texas, in accordance with the provisions of the act approved May 25, 1926 (44 Stat. 636), and/or the act approved December 5, 1924 (43 Stat. 672).

The VICE PRESIDENT. Is there objection to the immediate consideration of the joint resolution?

Mr. McNARY. Mr. President, I ask for the regular order. We will come to the calendar later.

The VICE PRESIDENT. Objection is made.

Mr. BRATTON. Mr. President, will the Senator yield for just a moment?

Mr. McNARY. I shall be glad to yield.

Mr. BRATTON. This measure will not be on the calendar to-day. It is a local measure, and unless it passes to-day it will be too late.

Mr. McNARY. I concede all that; but I insist on the regular order. Later in the day, when we reach the calendar, the Senator will have ample opportunity to take up this matter.

Mr. BRATTON. I doubt it.

FEDERAL LAND-BANK MORTGAGES

Mr. BLACK. Mr. President, I request that there be inserted in the RECORD the resolutions passed by the Farmers' Association of Covington County, Ala., with reference to Federal land-bank mortgages, and that it be referred to the Committee on Agriculture and Forestry.

There being no objection, the resolutions were ordered to be printed in the RECORD and referred to the Committee on Agriculture and Forestry, as follows:

STATE OF ALABAMA,
Covington County:

At a meeting of the stockholders of the Covington County National Farm Loan Association, held in Andalusia, Ala., on the 13th day of January, 1931, the following resolution was unanimously passed and adopted by said stockholders at said meeting:

"*Resolved*, That the stockholders of the Covington County National Farm Loan Association do hereby petition Congress of the United States to pass and enact some kind of legislation that will enable and assist the Federal Land Bank of New Orleans to extend until next fall or for one year from the date due the installments due from farmers of said association who are unable to meet their installment this past winter and fall.

"*Resolved further*, That it is the opinion of the stockholders of said Covington County National Farm Loan Association that from 30 to 35 per cent of the farmers and members of said association will be unable to meet their installments this year, and unless something is done for them, they will lose their homes."

STATE OF ALABAMA,
Covington County:

I, J. L. Murphy, secretary-treasurer of the Covington County National Farm Loan Association, hereby certify that the above is a true and correct copy of the resolution adopted by the stockholders of said association at its annual meeting held on January 13, 1931.

J. L. MURPHY, *Secretary-Treasurer.*

PROPOSED INVESTIGATION BY TARIFF COMMISSION

Mr. VANDENBERG. I offer a Senate resolution and ask for its present consideration.

The VICE PRESIDENT. The resolution will be read for the information of the Senate.

The resolution (S. Res. 411) was read, as follows:

Resolved, That the United States Tariff Commission is directed, under the authority conferred by section 336 of the tariff act of 1930, and for the purposes of that section, to investigate the differences in the costs of production of the following domestic articles and of any like or similar foreign articles: Dried beans.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. McNARY. Mr. President, I shall have to object until the morning business is concluded.

The VICE PRESIDENT. Objection is made.

Mr. VANDENBERG subsequently said: Mr. President, a moment ago the Senate passed a resolution in the usual form calling upon the Tariff Commission for an investigation into a certain commodity. A few moments earlier I presented a resolution asking for precisely the same form of consideration by the Tariff Commission of the tariff on beans. The Senator from Oregon objected at the time because of the order of business under which we were then operating. He does not now object, and I ask for the present consideration of the resolution.

The PRESIDING OFFICER (Mr. BINGHAM in the chair). Is there objection to the request of the Senator from Michigan for the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

CODIFICATION OF LAWS RELATING TO WAR VETERANS

Mr. NORRIS. I offer a Senate resolution, which I ask may be read by the clerk, and then I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The resolution will be read for the information of the Senate.

The resolution (S. Res. 412) was read, as follows:

Resolved, That the Administrator of Veterans' Affairs is requested to prepare and transmit to the Senate, in form suitable to be printed, a codification of all Federal laws relating to the veterans of our various wars, which codification shall contain (1) appropriate explanatory notes and annotations to each section of such codification, and (2) suitable headings, reference tables, and indices, for the purpose of making available a clear and complete statement of all the rights and privileges of such veterans.

The VICE PRESIDENT. Is there objection to the immediate consideration of the resolution?

Mr. McNARY. Mr. President, a parliamentary inquiry. Is that admissible under the present order?

The VICE PRESIDENT. It would be. That order has been reached. Is there objection?

There being no objection, the resolution was considered and agreed to.

PROPOSED INVESTIGATIONS BY TARIFF COMMISSION

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be stated.

The Chief Clerk read Senate Resolution 389, submitted by Mr. SHORTRIDGE on the 5th instant, and it was considered and agreed to, as follows:

Resolved, That the United States Tariff Commission is directed, under the authority conferred by section 336 of the tariff act of 1930, and for the purposes of that section, to investigate the differences in the costs of production of the following domestic articles and of any like or similar foreign articles: Dried whole eggs, dried egg yolk, and dried egg albumen.

The VICE PRESIDENT. The Chair lays before the Senate another resolution coming over from a previous day, which will be stated.

The Chief Clerk read Senate Resolution 390, submitted by Mr. SHORTRIDGE on the 5th instant, and it was considered and agreed to, as follows:

Resolved, That the United States Tariff Commission is directed, under the authority conferred by section 336 of the tariff act of 1930, and for the purposes of that section, to investigate the differences in the costs of production of the following domestic article and of any like or similar foreign articles: Casein.

Mr. SHORTRIDGE subsequently said: Mr. President, I ask unanimous consent that there may be printed in the RECORD a letter addressed to me by the National Poultry, Butter & Egg Association, together with an article appearing in a certain publication, to which I invite the attention of the Senate.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

NATIONAL POULTRY, BUTTER & EGG ASSOCIATION,
Chicago, Ill., January 9, 1931.

Senator SAMUEL M. SHORTRIDGE,
Senate Office Building, Washington, D. C.

HONORABLE AND DEAR SIR: In the matter of Senate Joint Resolution 389, calling upon the United States Tariff Commission to investigate the differences in the cost of production of dried whole eggs, dried egg yolk, and dried egg albumen, I hand you herewith an article taken from the National Poultry, Butter, and Egg Bulletin for the month of December, and also an editorial on the subject that appeared in the same issue.

Very truly yours,

H. F. JONES, *Executive Secretary.*

[From the National Poultry, Butter, and Egg Bulletin, Chicago, Ill., December, 1930]

FROZEN AND DRIED EGG INDUSTRY IN UNITED STATES DEPENDS UPON AN ADEQUATE PROTECTIVE TARIFF

(By Albert K. Epstein, consulting chemist and engineer, Chicago)

Food preservation is one of the oldest arts of civilized man; the savage either feasted or fasted. At the early dawn of civilization man began to realize that food products spoil and become unfit for human consumption unless they are properly preserved during the season of the year when the crop is plentiful so that he may consume it when the product is scarce.

Human progress may be measured by the degree of development of the art of food preservation. A country which is highly civilized and which has a complex industrial and economic system, with a large urban population, must also have a highly developed food-preserving industry.

The preservation of eggs has been practiced as an art from the early dawn of history. However, it is only within recent years that egg preservation by means of freezing or drying has become industrialized on a large scale.

With the development of the science of engineering, particularly that of producing economical artificial refrigeration, freez-

ing of eggs became one of the established industries in food preservation.

During the last part of the nineteenth century the freezing and drying of eggs in the United States was begun on a small scale. Because of certain economic conditions it has been transferred to China, by English industrialists, and thus for the past years China, as is well known, produced large amounts of frozen and dried egg products.

It is only within recent years, aided by the cooperation of the United States Department of Agriculture, that the freezing of eggs has intrenched itself in the United States as one of our industries and it is growing rapidly from year to year. However, the drying of eggs is still considered a Chinese industry exclusively.

Frozen-egg products are becoming recognized more and more as an important raw material in some of our food industries. In fact, for certain food products they are more suitable, more economical, and more convenient to use than shell eggs.

Frozen eggs appear on the market in three forms, namely, mixed whole eggs, frozen yolks, and frozen whites. Recently, as a result of certain scientific technical developments, the various egg products are specially processed and treated with some materials so as to improve their physical properties and their functions in the food products in which they are used.

The total United States consumption of frozen and dried egg products has increased gradually from about 103,000,000 pounds in 1921 to about 185,000,000 pounds in 1929. The total amount of shell eggs placed in cold storage at 29° to 30° F. in 1929 was only about 14 per cent of the total shell-egg production, and the amount used in the form of dried and frozen products is about 5.2 per cent of the total shell-egg production. This represents practically one-fourth, or 25 per cent, of the total amount of eggs preserved in the shell, frozen or dried form. This quantity of frozen and dried egg products has an effect upon the general egg business. The monetary value of the frozen and dried eggs consumed in the United States in 1929 represents approximately the sum of $45,000,000.

The largest amount of frozen eggs is used in the baking industry. Thus frozen yolks and frozen mixed eggs are used in the preparation of various sorts of pound cakes, sponge cakes, layer cakes, and various types of sweet goods. Frozen whites are used in the preparation of angel-food cake, icing, filling, and various types of confections. As much as 30 to 40 per cent of some cakes consist of egg material.

The function of eggs in cake is not only to add a certain amount of flavor and taste to the finished product but also to impart to various types of cakes a characteristic consistency, such as texture, body, and lightness, and to contribute materially to its food value.

In order to get an approximate idea regarding the possibilities of the amount of eggs that the baking industry will consume in the future, it is necessary to consider the baking industry from an industrial standpoint.

Because of changes in our economic conditions, the housewife does not prepare her food products at home, but prefers to purchase them in a convenient form. As a result of this the bread industry has grown tremendously, and about 90 per cent of the total bread consumed in the United States in large cities and about 80 per cent of the bread consumed throughout the entire country is made in the large industrial plants.

The bread baker has finally convinced the housewife that he can furnish her a loaf of bread which is better, more uniform, and more palatable, and do so much more economically than she can at home.

You can readily see, then, that the bread trade has practically reached its saturation point. Extensive expansion in the bread industry is not possible, since the public is not likely to eat more bread. The industrial baker, therefore, has to rely on an increase in population for an increase in his business, and the population is not growing very rapidly.

On the other hand, we find at present that less than 30 per cent of the total of cake products consumed in the United States are prepared in the factory, and more than 70 per cent is still made by the housewife. The housewife still believes that she can make a better cake than the commercial manufacturer

Within recent years various industries in the United States who manufacture baking machinery and various other baking accessories, have begun to concentrate their efforts, with the aid of scientific institutions, on placing the cake manufacturer on a large industrial basis, such as they have done in the bread industry.

We can see the writing on the wall. Many large bread factories are now entering the cake industry. They are improving the product from day to day, and there is no doubt that within the next 10 of 15 years the cake industry will be in the same place that the bread industry is at present. Thus we have the possibility of increasing the consumption of frozen eggs in the cake industry at least 300 per cent.

Another food industry which has developed with great strides within the past 10 years is the manufacture of mayonnaise and other salad dressings. On account of the change in the dietary habits of the American people, large quantities of green vegetables are being consumed in American homes. Thus we see that the acreage of lettuce has increased about 300 per cent in the last few years. Some vegetables are insipid and tasteless; salad dressing adds taste and flavor and makes the vegetables more palatable. For this reason the sale of salad dressings has increased enormously. Thus, in 1920, the total production of salad-dressing products in the United States amounted to less than $10,000,000, whereas in 1929 a hundred million dollars' worth of various salad-dressing products have been placed in the homes of the American housewives.

It has been recognized by food technologists in the mayonnaise industry that certain types of frozen-egg products are better and more suitable for the manufacture of mayonnaise than shell eggs. This is due to the fact that as a result of the freezing and other processes which the prepared egg product undergoes the product becomes a better emulsifying agent for the oils, spices, and vinegar, thus preventing their separation and producing a mayonnaise of better consistency than that obtained with shell eggs.

The egg content of salad dressings varies from 6 to 12 per cent. As a result of recent surveys it became known that the mayonnaise industry has not reached its saturation point. A large part of our population in the Central States and the South are becoming more and more educated to the fact that green vegetables are essential to the diet. The increase in the consumption of vegetables brought about an increase in the consumption of eggs in the form of salad dressing. Our foreign population is becoming Americanized, adopting the American culinary art and dietary habits. The foreign population are potential consumers of mayonnaise products, which means an eventual increase in the mayonnaise business.

The confectionery industry absorbs a large amount of frozen-egg whites. Thus, for the preparation of certain types of candy, such as marshmallows, cream centers, nougats, meringues, etc., frozen-egg whites are adaptable. In this industry it is a recognized fact that they can get a better finished product with the frozen eggs which are packed in the early spring from April and May eggs than from the whites separated from cold-storage shell eggs.

The noodle industry is utilizing a large amount of frozen eggs. According to the Federal food law, egg noodles must contain at least 5½ per cent of the solid material of eggs. In order to obtain the proper color in egg noodles, the manufacturers must use about 20 per cent of the whole egg material, based upon the flour.

The noodle industry is growing very rapidly. Thus, this year the Noodle Manufacturers' Association is launching a $2,000,000 educational campaign, as a result of which the consumption of frozen eggs in the form of noodles will increase.

Frozen eggs are also used in ice cream. Besides adding flavor, it has a certain technical advantage, in that it reduces the time of freezing and produces a better texture. At present eggs are used only in certain localities in ice cream, but as a result of scientific study the important technical advantages obtained from the use of eggs in ice cream mixes are becoming more apparent to the manufacturers, and it is believed that in the near future it will become a common-trade practice.

The total consumption of ice cream per annum is about 250,000,000 pounds. It is estimated that only about 4 per cent of the total ice cream produced at present contains egg products. If the ice-cream manufacturer becomes convinced that eggs are essential in his product, 10,000,000 pounds of eggs may be consumed annually by this industry.

Dried eggs are used to a much smaller extent than frozen eggs in the United States. As a matter of fact, there are many industries in which the dried eggs can replace frozen eggs, depending upon the relative market value of these two products. When frozen yolks were high in the United States, China was throwing large quantities of powdered yolks into this country, which were used in the manufacture of ice cream, noodles, and other baked products. However, there are some food industries which must use powdered-egg products. Powdered eggs are used in the preparation of various doughnut flours, and dried-egg albumen is used in the preparation of meringue powders and, to a lesser degree, in the preparation of some baking powders. Egg albumen is also used in confections.

Chinese exporters have testified before the various tariff commissions that it was impossible to substitute the frozen-egg product for the dried-egg product. As a general statement this is not true. There are only certain isolated cases in which the dry products must be used in the preparation of doughnut flours, meringue powders, and baking powders. As a matter of fact, in other food industries where eggs are used it is possible to substitute the frozen product for the dried and vice versa. This became obvious in the years of 1923 and 1927, respectively, when China had civil war, and the importation of dried products from China was curtailed. During that period a large amount of American packed frozen eggs was used in products which had formerly been made with Chinese dried eggs.

In 1928, on account of a large accumulation of frozen whites in this country, whites were very cheap and a number of confectioners substituted in their formulas the American frozen whites for the Chinese dried-egg albumen. Thus it is evident that in most industries, where the use of the dried and frozen products are interchangeable, the dried product will be used if it is offered at a cheaper price.

Whole eggs and yolks are dried by the usual apparatus and by the usual methods used in drying milk products. The egg material is sprayed in a vacuum or dried on a drum which is heated. Some plants still use the shelf system of drying mixed eggs or yolks.

The drying of egg albumen in China is carried out in a very primitive manner. The product is allowed to become putrid and decomposed to such an extent that it can not be dried with-

out coagulation. Therefore it is neutralized with ammonia and then dried in open trays. Practically all Chinese dried-egg albumen imported into the United States has a putrid, unpleasant odor, which results from the decomposition of the albuminous material. This odor, of course, is masked with flavoring ingredients used in the confectionery industry.

The type of dried products produced in China is not up to the standard of the high quality of food products produced in the United States. If the United States Department of Agriculture, as well as State food departments, would have the necessary funds to provide for additional facilities to examine the dried Chinese egg albumen at the point of entry, they would condemn a larger portion of these products on the basis that they are decomposed and putrid.

I am convinced that the various food departments would not tolerate the sale for food purposes of liquid or frozen whites prepared in the United States if they were allowed to decompose in the same manner as the Chinese product before drying. The Chinese exporters have made our Congress believe that the Chinese are the only people who have the great secret for producing dried-egg albumen which can be used satisfactorily for confectionery purposes, and they implied in their arguments that we in the United States don't know how to produce a suitable commercial product. This accusation is untrue and is an insult to the entire food engineering profession and to the food manufacturers of the United States.

In the manufacture of all sorts of foods on a commercial scale, especially in the manufacture of dried food products, this country is a leader. In fact, we are much further advanced in the practical application of food manufacture than any other civilized country in the world.

When the Soviet Government desired to industrialize Russia on the 5-year plan they came to the United States to learn our method of food manufacture, our methods of food preservation, and our methods of drying and freezing food products. They did not go to China.

The fact is that we have actually produced in the United States, on a commercial scale, egg albumen which is not only equal to the best of the Chinese products but infinitely better in every respect.

In 1928 a plant was equipped in Chicago to dry egg albumen. The product produced is not putrid; it is sweeter in taste and has a greater foaming value than the best of the Chinese products. This has been recognized by various food industries, including confectioners, who had been using the Chinese product.

The factory operated only for a few months and was compelled to shut down on account of Chinese competition. Another plant in Kansas made an attempt to dry yolks and mixed eggs, but met with a similar fate.

It is true that we have not developed an egg-drying industry in the United States, not because we are incapable of producing dried eggs, but because the existing tariff is not sufficient to protect and permit us to compete with the Chinese product. In China, a workman gets about 35 cents per day and in the United States, no decent, self-respecting American, even in these hard times, can live on this wage.

It is the opinion of those concerned that the recently enacted tariff on frozen-egg products will be a stimulus to develop the American frozen-egg industry on a large commercial scale. There is no doubt but that American food technologists will pay more attention to the selecting of raw material and to the preserving of eggs in a better condition so as to produce a product with better commercial qualities.

It is true that in 1929 we still had a large importation of Chinese frozen-egg products. This was due to the fact that the Chinese exporters instinctively felt that the tariff on the frozen eggs would be passed and they kept their boats rushing to the American ports dumping as much of their product as possible before the tariff went into effect.

It is believed that the tariff of 11 cents per pound passed recently by Congress is sufficiently high to keep out the Chinese frozen-egg products or at least high enough to make possible American packers to compete with them.

The effect of the increase of the tariff on frozen eggs in 1928 from 6 to 7½ cents and in 1930 from 8 to 11 cents became noticeable in that since 1928 there is a tendency for the importation of frozen eggs to fall off gradually. However, since there was no corresponding increase in tariff in the dried-egg products, the importation of dried products from China has increased.

As pointed out above, in many food industries, dried eggs can be used interchangeably with frozen eggs and in order to establish a safe industry in this country we must have sufficient protection on dried-egg products.

SUMMARY

We have seen that the consumption of frozen and dried egg products in the United States is not a negligible quantity, and in 1929 the volume was about 185,000,000 pounds, which was about one-fourth the total eggs placed in cold storage that year, and it had a monetary value of about $45,000,000.

The food industries which are using these products at present are developing rapidly, and for this reason the consumption of the frozen and dried egg products in the future will increase proportionately.

It has been pointed out that in 1929 the average consumption of eggs in the United States was about 251 eggs per capita per year or about two-thirds of an egg per day per capita. We therefore can not state that we have an overproduction of eggs; rather, we have an underconsumption as the consumption of one egg per day per capita will result in an increased proproduction of eggs in the United States of about one-third or 33⅓ per cent.

This increased consumption of eggs per capita will come about by the use of more various frozen and dried egg products in various food industries; in fact, as a result of the educational campaign carried on now, which shows that eggs are not a luxury but one of the most economical natural wholesome food products, the housewife may get into the habit of having a package of dried eggs in her pantry and using them liberally in cooking, baking, and for other household purposes.

Whether or not we are going to have an established safe and sound frozen and dried egg industry in the United States will depend upon the protection we will get on dried-egg products which are at present prepared exclusively in China.

TARIFF DUTY ON DRIED EGGS INADEQUATE

On page 3 of this issue of the Bulletin we present a paper prepared by Albert K. Epstein, in which he confirms the prevailing opinion that a safe and sound frozen and dried-egg industry depends upon an adequate protective tariff on dried eggs.

The fact supporting his statements is that for the first eight months of the year 1930 a total of 8,164,255 pounds of dried eggs were imported into the United States. It was recently pointed out to the United States Tariff Commission that it would require over 1,000,000 cases of shell eggs to produce this amount of the dried product in the equivalent to the proportions of dried whole eggs, dried yolks, and dried albumen.

Placing the proposition in another aspect: On September 1, 1930, there was a surplus of 2,075,000 cases of shell eggs in the cold storage warehouses in excess of the 5-year average. This means that the foreign importation of dried eggs approximated 50 per cent of the surplus holdings.

The present tariff duty on imported dried eggs is thoroughly inadequate. By reason of the inadequacy the equivalent of 1,000,000 cases of shell eggs came into the country. To the extent of a million cases we did not hold our domestic trade, but China got it—got it in spite of a protective tariff that Congress said would be adequate.

The poultry industry of the United States has been constantly expanding. Exportations into foreign countries are constantly decreasing—comparatively nil.

In the present situation we adhere to the belief that the domestic trade can be protected only by means of an adequate protective tariff on dried-egg importations.

On the general proposition legitimate inquiries are: What agricultural products are there to-day, outside of poultry and eggs and the dairy products, that the general farmer is producing and selling on a cash basis with profit? What other farm products are there that daily, year in and year out, flow from the general farm to market on a strictly cash basis? It is common report that the general farmer depends almost entirely upon the cash he receives for these commodities for his day-to-day living. If reports be true, then, some person should be urging an embargo against foreign importations of dried eggs for, at least, a temporary period.

Mr. Meyers, of the Land o' Lakes Creameries (Inc.), was recently on the Chicago market and was quoted as saying, in substance, that, in the face of falling prices, dairy farmers are increasing their production of the dairy products so that required cash-money incomes may be maintained through the production of greater volume. Mr. Meyers' observation is the father of our embargo thought, because some foreign importations come into the United States for the primary purpose of establishing credits in the United States. The procurement of production costs is a secondary consideration. On this proposition it would seem that, in certain instances, the United States Tariff Commission, in considering the application of tariffs, could take into account, as a primary consideration, the generally well-known effect of foreign importations on the American markets, rather than the cost of production in foreign countries, on the theory that the ordinary affairs of life which tariff commissioners know as men, they are not compelled to disregard as commissioners.

The following editorial under the caption of Increased Butter Tariff is reproduced from a recent issue of the Wisconsin State Journal:

"Governor Kohler took a step in aid of Wisconsin farmers when he petitioned President Hoover to take executive action for an increase in the tariff duties on foreign butter.

"The Federal Tariff Commission has already submitted figures intimating the butter tariff was not high enough to insure protection to the American producers, and while, perhaps, President Hoover will desire further inquiry by that body, prompt action should be taken by the commission to place before the President the necessity of immediate action.

"Congressman MERLIN HULL warned Congress that just such a situation as is now occurring was likely to happen. Australia, with a large surplus of butter upon its hands, has dumped 10,000,000 pounds of Australian butter on the New York market, some of which is being sold as low as 20 cents a pound. (We do not vouch for this statement.) This competition, if carried on long, means heavy losses to the butter producers of the United States.

"The Federal officials should take cognizance of the situation and provide a sufficient tariff increase to prevent Australian and New Zealand butter being placed on the American market at a lower price than butter can be produced in this country.

"Wisconsin dairy farmers are already profiting through the increased schedules accorded by Congress in the recent tariff law on many dairy products. There is a market for Wisconsin fluid-

milk products in the East, because under the new tariff barriers it can not be undersold by milk from Canada.

"Dairymen asked higher schedules on butter than are accorded in the tariff law. They were told the Tariff Commission could, if an emergency arose, recommend more protection. Seemingly that situation now exists."

Egg producers, headed by Knox Boude, of California, supported by some of the larger farm organizations, have already applied to the United States Tariff Commission for increased tariff duties on imported Chinese dried eggs. In considering this application the Tariff Commission should take into account not only the equivalent in shell eggs of 8,000,000 pounds of dried eggs but also the equivalent of Chinese labor that is brought into the United States in the form of dried eggs to compete with the labor involved in the production and marketing of 1,000,000 cases of American-produced shell eggs. Here we have in mind the farm labor involved in production and the commercial labor and material involved in concentration, processing and distribution. Involved in the latter are the material and labor of supply manufacturers and transportation companies.

It is just as logical to urge the removal of immigration bars as a cure for American unemployment as it is for any person to maintain that the present tariff duty will hold the domestic egg market for American producers under prevailing conditions.

We purposely omit all reference to frozen-egg importations.

(EDITOR'S NOTE.—After sending the foregoing to the printer we received a communication from an authoritative source, which is as follows:)

"Dried eggs are still arriving by nearly every boat into New York from China and from Europe. It is the same thing on butter. We have a 30-cent New York butter market and a 22-cent London butter market. Without the tariff we would have a 20-cent Chicago market instead of 28½ cents."

The total importations on dried eggs for the first 10 months of 1930 were 9,928,749 pounds.—453.

AIR MAIL CONTRACTS

The PRESIDING OFFICER (Mr. BINGHAM in the chair). The Chair lays before the Senate another resolution coming over from a previous day, which will be stated.

The Chief Clerk read Senate Resolution 394, submitted by Mr. DILL on the 6th instant, as follows:

Whereas the United Aircraft (Inc.) controls the Boeing Air Transport (Inc.), Pacific Air Transport (Inc.), National Air Transport (Inc.), Varney Air Lines (Inc.), and Aviation Corporation (Inc.), and all said corporations are engaged in the business of carrying air mail and hold air mail contracts from the Post Office Department; and

Whereas the United Aircraft also owns the Boeing Airplane Co., the Pratt & Whitney Aircraft Co., and the Hamilton Standard Propeller Corporation, all said companies being manufacturers of airplanes and equipment for airplanes; and

Whereas the United Aircraft also operates a factory in Vancouver, British Columbia, a city on the newly established Canadian-American air line; and

Whereas the Post Office Department has established air mail routes to all parts of the United States except to that section from St. Paul west to Seattle, and does not plan to establish air mail service to the northwestern part of the United States except by feeder and branch lines to certain towns to the north from the east and west air mail route running from Chicago to Cheyenne, Salt Lake, and San Francisco; and

Whereas the announced policy of the Post Office Department is to extend established lines instead of creating new lines, thereby making it impossible for new air mail and transport companies to bid for contracts over new routes, and thereby still further enlarging the control of the United Aircraft (Inc.) of the Government air mail business; and

Whereas the Boeing Air Transport (Inc.) is opposed to the Senate amendment providing $750,000 additional for the air mail appropriation in the post office appropriation bill for the fiscal year 1931–32, which would provide for the Northern Air Ways mail route from St. Paul to Seattle; and

Whereas the Post Office Department proposes to use the additional funds for additional air mail service provided in the post office appropriation bill for the fiscal year 1931–32 to extend existing air mail routes in sections of the country already reasonably well supplied with air mail facilities, instead of establishing the new route from St. Paul to Seattle; and

Whereas the Post Office Department has recently approved the extension of the air mail route from St. Paul to Winnipeg, thus indicating an extension for connection with the Boeing Air Transport lines into the central part of Canada and Seattle, Wash.; and

Whereas it is probable that the Post Office Department will extend the San Francisco-Seattle route to Vancouver and Calgary, British Columbia, thus giving the Boeing Air Transport lines entrance to far western Canada, and making possible the extension of the air mail route from Calgary to Winnipeg for subsidiary companies of the United Aircraft and for the carrying of Alaskan mail through Canada to St. Paul instead of by the American route through Seattle; and

Whereas these facts and other developments clearly indicate that the control of Government air mail contracts is rapidly coming under the direction of the aviation monopoly hereinbefore described: Now, therefore, be it

Resolved, That the Postmaster General is hereby requested to furnish the Senate the following facts:

1. The name and termination of each existing air mail route in the United States, what part of said route was established as an original route and what part is an extension of the original route, and the name of the person, firm, or corporation holding the contract for carrying of mail over said route and the terms of contract for each route.

2. The new routes to be established by the air mail appropriation provided in the appropriation bill for 1931–32 for air mail service in continental United States when it becomes a law, and also what extensions of routes will be made and to what person, firm, or corporation each added extension will bring additional contracts for air mail service.

3. Names of officers and attorneys of parent corporations, subsidiary, or affiliated corporation holding air mail contracts, who have been employees or officials of the United States Government within the past five years.

4. The requirements by the Post Office Department for the establishment of new air mail routes or extension of air mail routes previous to their establishment as to airports, distances between emergency landing fields, and other aids to navigation and whether or not such requirements have been met previous to the establishment or extension of air mail routes in the past.

Mr. DILL. Mr. President, at the suggestion of some Senators I should like to amend the resolution by striking out the "whereases."

The PRESIDING OFFICER. Is there objection to the resolution itself?

Mr. WATSON. Mr. President, has the preamble been stricken out?

The PRESIDING OFFICER. That question has not yet arisen. Is there objection to the resolution?

There being no objection, the resolution was considered and agreed to.

The PRESIDING OFFICER. Without objection, the request of the Senator from Washington that the preamble be stricken out is agreed to.

WILD-LIFE CONSERVATION

Mr. WALCOTT. Mr. President, the special committee of five appointed from the Senate last April to study the facts concerning the wild-life resources of our forests, fields, and streams, submits at this time its first printed report (Rept. No. 1329).

The special committee on wild-life resources spent several weeks in studying conditions in the Northwest, particularly in northern Minnesota and Wyoming, and has gathered a great array of facts concerning the wild life of many of our wilderness areas.

The committee wishes at this time to give much credit to the senior Senator from Missouri, Senator HARRY B. HAWES, for the work he has done in recording the findings of the committee and its conclusions. Senator HAWES has done a large part of the work in preparing this report, which has been carefully revised and edited by the other members of the committee.

This is the first comprehensive survey of Federal activities in connection with the conservation of all forms of wild life, the first attempt to outline a comprehensive national program, and the first attempt on the part of Congress to analyze the situation and attempt to point out the remedies; and because of the necessity of cooperation the committee has gone even farther in its recommendations of related State and Federal activities. The committee officially defines the term "wild life."

The salient points of the committee's report are as follows:

This special committee is conscious of three great groups that are deeply interested in this subject.

The first group consists of those who enjoy sport with rod and gun and go afield to take certain varieties of game animals, including fishes.

The second group comprises farmers and landowners, who have a direct and increasing interest in measures to secure an increase in certain forms of wild life. To this group wild life has its recreational as well as its pecuniary interest and value as a source of food supply.

The third group, much the largest numerically, includes all of those who have a deep-seated love of nature and enjoy a day afield infinitely more because the forests, fields, and streams are populated with interesting wild life, and

may or may not be interested in shooting or fishing. This group includes at least 45,000,000 persons who last year visited outdoor recreational and wilderness areas.

It is to these three groups that this committee is giving its attention in trying to restore and permanently save all forms of interesting and useful wild creatures.

There is a valuable by-product which comes from devoting our leisure hours in the enjoyment of nature which should be encouraged by every means.

The committee finds convincing evidence of a decrease in wild life, due in part to drainage, deforestation, fire, disease, water pollution, and the extended occupation of land by agriculture and industry. In the opinion of the committee it is not yet too late to repair the damage by the timely inauguration of a sound national program that may yet insure an increase of existing supplies of birds, animals, and fishes.

It is pointed out in the report that a representative of a southern newspaper association, in order to determine the relative news value of hunting and fishing as compared with baseball, football, golf, and tennis, assembled figures from 14 Southern and Southwestern States. In that area tennis players numbered 363,465; golf players, 908,640; football fans, 1,218,184; baseball fans, 2,426,372; fishermen and hunters, 4,420,876. This discloses the fact that in this area there are almost as many hunters and fishermen as there are devotees of all the other sports put together. These figures clearly demonstrate the interest of the Nation in the great out of doors.

The report shows that more than $90,000,000 were spent during the year 1929 for firearms, ammunition, and fishing tackle. It is estimated that $650,000,000 were spent for outdoor accessories.

The Federal Government has invested in national parks, fish hatcheries, and game sanctuaries about $61,000,000. The States have set aside areas as bird and game sanctuaries having a total estimated value of $300,000,000, and these figures take no account of the value of the privately owned sanctuaries and preserves.

The committee estimates that in the United States during the year 1929 more than 13,000,000 citizens fished or hunted.

The committee concludes that the primary cause of the present unsatisfactory situation is due to the failure of the Federal and State legislative bodies to be guided by the rules of sound business practice, as is indicated by the fact that appropriations, State and Federal, for the protection and development of wild life probably do not exceed $13,000,000.

The committee states that practically all the departments of the Government are interested and active in carrying out a national program of conservation, and suggests a plan of coordination among the various Federal departments.

The necessity for standardized reports by the States concerning the abundance of game and an annual report of game killed by license holders for the benefit of State and Federal wild-life administration is urged by the committee.

Conservation requires united effort on the part of the National and State Governments and individual conservationists. The attention of conservationists and sportsmen's organizations is directed to unification and extension of State effort. The development of the State game-farm idea is recommended, because its experimentation is state-wide and each citizen has an interest in it. The abolishment of the sale of game by the States, the report continues, was the chief constructive movement in aid of conservation. As long as there is a commercial price on game the last member of the species will be relentlessly pursued, even if this must be done contrary to law.

Since the formation of the committee in April of last year it has held many hearings and has visited a number of widely scattered wilderness and recreational areas throughout the country, where much valuable information and data were gathered. As a result of these studies the committee has defined a national policy with reference to the replacement and conservation of the wild-life resources of the Nation. This policy should have a strong appeal and create a demand for a constructive program by the great body of American sportsmen, conservationists, farmers, and other landowners and outdoor recreationists.

The PRESIDING OFFICER. The report will be received, and it will be printed under the rule.

APPOINTMENTS BY EXECUTIVE ORDER AND DISMISSALS IN THE CIVIL SERVICE

The PRESIDING OFFICER. The Chair lays before the Senate a resolution coming over from a previous day, which will be stated.

The Chief Clerk read Senate Resolution 398, submitted by Mr. HEFLIN on the 12th instant, and it was considered and agreed to, as follows:

Resolved, That by January 26, 1931, the Secretary of the Treasury shall furnish the Senate with a duplicate list of appointments made by Executive order on August 22, 1925, without examination, indicating residence, salaries, and duties; be it further

Resolved, That the Secretary of the Treasury shall also furnish the Senate a list of permanent civil-service employees from States whose quotas are in arrears who were discharged in 1926 in accordance with Executive order of June 4, 1925, for reduction of force; and also the number of said employees who were reemployed at reduced salaries, indicating the reduction in salary; be it further

Resolved, That the Secretary of the Treasury advise the amount saved by said reduction of force and also advise the amount of increases in salaries for those retained.

METROPOLITAN LIFE INSURANCE CO.'S SURVEY OF UNEMPLOYMENT

The PRESIDING OFFICER. The Chair lays before the Senate the following resolution coming over from a previous day.

The resolution (S. Res. 409) submitted by Mr. LA FOLLETTE was read and agreed to, as follows:

Resolved, That the President's Employment Commission is hereby requested to furnish the Senate a copy of the Metropolitan Life Insurance Co.'s report or reports, together with all accompanying data, on the unemployment and part-time employment survey made by the said company at the suggestion of the said commission.

INVESTIGATION OF SENATORIAL CAMPAIGN EXPENDITURES

The PRESIDING OFFICER. The Chair lays before the Senate another resolution coming over from a previous day, which will be read.

The Chief Clerk read Senate Resolution 406, submitted by Mr. NORRIS on the 17th instant and modified by him on the 20th instant, as follows:

Resolved, That the special committee of the Senate to investigate campaign expenditures, created under authority of Senate Resolution 215, adopted April 10, 1930, is hereby further authorized and empowered, in the furtherance of the duties provided for in said Senate Resolution 215, to take possession of ballots and ballot boxes, including poll lists, tabulation sheets, or any other records contained within said boxes, and to impound the same for examination and consideration by said committee or any other committee of the Senate which has jurisdiction of the subject matter of any contest for a seat in the Senate.

The PRESIDING OFFICER. The question is on the passage of the resolution.

Mr. WATSON. Mr. President, may I ask the Senator a question?

Mr. NORRIS. Yes.

Mr. WATSON. The resolution has reference, of course, only to States in which there is a contest, and in which the committee investigates?

Mr. NORRIS. No; I should not say that.

Mr. WATSON. Does it mean that the committee is authorized to go out and impound all ballot boxes in the United States, whether or not there is a contest?

Mr. NORRIS. No; I do not think so. Of course, the original resolution permits the committee to have certain discretion. This is only in furtherance of the duties provided in the original resolution. They can act on their own motion, or they can act on a complaint. This resolution does not change their duty at all.

Mr. WATSON. Of course, in every contested-election case, so far as I know—at least, in recent years—the committee has gone into the United States District Court and received an order to have all the ballot boxes impounded. That has been done, and I understand is about to be done;

and that is entirely legitimate. I was just wondering, however, whether this resolution of the Senator's would empower the committee to go out and impound all the ballot boxes in the country, in every State, whether there is a contest in that State or not, and whether or not the election there is being investigated.

Mr. DILL. Mr. President——

Mr. NORRIS. Mr. President, it may be said that this committee, under their original resolution, could have gone into any State where there was a senatorial election, if they wanted to, and summon all the people, every resident, or every voter who was there.

Mr. WATSON. Which they could have done.

Mr. NORRIS. Yes; which they could have done. Of course, to give them the power to act in their discretion we have to take into consideration the presumption that they would exercise a sound discretion as to whether they ought to do it or not. I would not want to take away that power; otherwise we would get into trouble all the way through with any investigation. The only thing this resolution does, the only thing that is intended to be done, is to give them the power, in furtherance of the power that is already given them, if they find it necessary, to take possession of ballot boxes. They have already done that, as I understand, in one State. They have taken possession of quite a number of ballot boxes where the request was made.

Mr. WATSON. I think they have; and will in others, I am told.

Mr. NORRIS. It is not intended that this committee should go into the ballots and count the ballots, and ascertain or report to the Senate who was elected. The resolution does not enlarge their scope a particle. However, it gives them what they think, or the chairman thinks, is a power that incidentally they ought to have in making an investigation, if the need should arise.

Mr. DILL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Washington?

Mr. WATSON. Let me finish my question, please.

Mr. DILL. I just want to say to the Senator that I have an amendment that I intend to offer that will meet the very point the Senator from Indiana is making.

Mr. WATSON. In other words, here is my contention, if the Senator please: I have not the slightest objection in the world to an investigating committee that has gone into a State to investigate an election being authorized to have all the ballots impounded.

Mr. NORRIS. That is all I want done.

Mr. WATSON. But this would authorize the committee to go into any State——

Mr. NORRIS. Oh, yes; that is true.

Mr. WATSON. And have the ballots impounded, whether there is a contest there or not.

Mr. NORRIS. They have that authority now.

Mr. WATSON. I rather doubt that.

Mr. NORRIS. Oh, yes; they have done that. All their work has been done where there has been no contest. I do not think there has been an instance where they have taken evidence where there was a contest.

Mr. WATSON. I have never known them to take any evidence where there was not a contest.

Mr. NORRIS. The idea of the appointment of this committee was to take evidence in cases where contests had not been filed.

Mr. WATSON. But where there was the basis of a contest.

Mr. NORRIS. A basis might be developed from the investigation of this committee.

Mr. WATSON. Suppose we pass this resolution, and there is no question in the world about the election in the State of Michigan, would they be authorized to go to the State of Michigan and impound all the ballot boxes in that State, when there never was any question about the election?

Mr. NORRIS. I suppose they could have gone into the State of Michigan at the time of the election, if they had wanted to abuse their discretion, and have subpœnaed every man and woman in the State of Michigan. If there is any way in which their discretion could be limited by proper language, there would be no objection to it.

Mr. WATSON. That is what I wanted to do.

Mr. NORRIS. The resolution under which the committee have acted gives them the power to go wherever there is a senatorial election and make an investigation as to expenses and other things which are mentioned in the original resolution.

Suppose the committee had evidence, either a direct charge being made, or evidence from their own investigators, acting, we will say, on their own initiative, that in a State where there was an election somebody had paid $50,000 for the printing of ballots in violation of law, which ballots had been voted in carrying out the scheme of those who had the ballots printed.

The committee might be able to show that without an examination of the ballots, it is true, but the best course to be pursued, as the Senator knows, would be to get the ballots themselves, to look at them and see whether there was any truth in the charge, and if there was, and the committee thought that was the basis of a contest, then they ought to have permission to take possession of the ballots and impound them, as the resolution says, for the benefit of any committee of the Senate that has jurisdiction where a contest of a seat is involved.

I do not know why anybody should object. It is not my intention that the committee should decide who is elected, but there might be a case where, if the committee did not take the action suggested, Congress not being in session and no committee empowered to act, much valuable evidence might be destroyed.

Mr. WATSON. I quite agree with the Senator that where there is a contest it is entirely proper for the committee to have the ballots impounded.

Mr. NORRIS. I am speaking of where there is not a contest. It may be that no one would be thinking of a contest until some such state of affairs as I have indicated had been disclosed.

Mr. WATSON. I have been a member of the Committee on Privileges and Elections a great many years, and in every instance where we have had a contest, as far as I remember—and the Senator from California [Mr. SHORTRIDGE] will correct me if I am in error—we have impounded the ballots because a contest had been instituted; but just to go into a State, before anyone has ever thought of starting a contest, or where there is no question at all of irregularity in the election, and start to impound the ballots looks to me like doing a thing we should not authorize any committee to do. I should think action should be taken only where a contest was started, where there was something on which the action could be based, and that we should not permit a committee to go helter-skelter promiscuously and impound ballots where there is no contest.

Mr. NORRIS. If the Senator is correct, then the Senate was wrong when it appointed this special committee, and it was wrong when it appointed the so-called Reed committee, which made the investigation in Pennsylvania and in Illinois which resulted in the rejection of two elected to the Senate.

Mr. WATSON. Charges were made here on the floor of great irregularities.

Mr. NORRIS. The authority given to the Reed committee, and to the Nye committee, in the resolutions, was that the committee could act on charges or upon its own initiative. The so-called Nye committee, which has been making investigations in a dozen different States in regard to the last campaign, as far as I know, in most every instance acted upon the committee's initiative. They would get information about a matter, they would make an investigation, and come to the conclusion that it was of such importance that it was worthy of their investigation. Then they would subpœna witnesses and make the investigation. No contest was filed in any case. The facts developed may result in all kinds of contests. I concede that. Suppose Congress adjourns on the 4th day of March with no con-

test having been commenced, and then one is commenced; what committee would impound the ballots then? Suppose it is provided that under State law the ballots must be destroyed. Then, when Congress met again, it would be found that all the evidence was destroyed.

Mr. WATSON. I do not think so at all. I think the standing committee having jurisdiction of such matters would have the authority to go into a United States district court and ask to have the ballots impounded, and I do not think there would be any question about their authority to do that.

Mr. NORRIS. When these things are referred to a committee, they get jurisdiction; but suppose a contest is not commenced until Congress adjourns. I know what the Senator suggests might take place if a contest were started now, but suppose one is not started until after the 4th of March. The standing committee of the Senate would have no jurisdiction whatever until the Senate referred the matter to them.

Mr. SHORTRIDGE. Mr. President, will the Senator yield to me?

Mr. NORRIS. I yield.

Mr. SHORTRIDGE. I rise merely to inquire as to the question of procedure. As suggested heretofore, when a committee such as the one under consideration has been appointed and it seeks to secure certain ballot boxes and all the paraphernalia of an election, it has gone into a Federal court, and, upon an appropriate petition, secured from that court an order upon the custodian of the ballot box and its contents, including all ballots and election records, to keep and deliver the same to the marshal, who in turn is directed to turn over to the committee the boxes, and so forth. I inquire whether the Senator thinks this resolution would authorize the committee itself to make demand upon the custodian of ballot boxes and election records and thereby obviate the necessity of securing an appropriate order from the court?

Mr. NORRIS. My own idea is that they would have that authority. If the custodian declined, then perhaps they would have to take the step the Senator has outlined.

Mr. SHORTRIDGE. Assuming this resolution were passed, assuming the committee should make demand upon the custodian for the papers in question, and the custodian should refuse to deliver them to the committee; the question then arises, What would the committee be required to do, or what should it do, to secure the papers in question?

I am inclined to think, being somewhat familiar with procedure taken heretofore, that the committee may now file an appropriate petition in the Federal court of the district within which the election papers are lodged and secure an appropriate order upon the custodian to keep and deliver them to either the marshal of the district directly, by him to be delivered to the committee, or perhaps the order could run that the custodian should keep and deliver the boxes and papers in question directly to the committee.

I rise merely to inquire what would be the procedure to be followed if this particular resolution passed.

Mr. NORRIS. I think the Senator has correctly outlined it himself.

Mr. DILL and Mr. HEFLIN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nebraska yield; and if so, to whom?

Mr. NORRIS. I want to yield to the Senator from Washington, because he has stated that he has an amendment to offer. I wish he would state what it is.

Mr. DILL. Mr. President, the amendment I want to offer simply provides, in line 5, after the numerals "215," to insert the words "in case a contest is filed against the election of any Senator in the election of 1930," and then in line 10, before the word "contest," to strike out the word "any" and insert the word "said."

The effect of this amendment would be to give the committee authority to bring about the impounding of the ballots and the things authorized here in case a contest is filed; but it would not permit the committee to go into every State in which there was a senatorial election last November and impound the ballots and do the other things now indicated.

Mr. CARAWAY. Mr. President, I will ask the Senator from Nebraska if he will yield to me to ask the Senator from Washington a question?

Mr. NORRIS. I yield.

Mr. CARAWAY. If there is to be a contest, the Committee on Privileges and Elections has jurisdiction of that, and this would result in the setting up of two committees to do the same thing. The impounding of the ballot boxes and the counting of the ballots is a duty of the Committee on Privileges and Elections in case of a contest.

Mr. NORRIS. Mr. President, I could not agree to the amendment suggested by the Senator from Washington. It might be—and it is not at all unlikely—that in investigating an election, in trying to find out what moneys have been expended and whether there were any such irregularities as are covered by the original resolution, the committee might discover something which had never been known before in regard to the ballots, making it perfectly evident that a great fraud had been committed, or at least that there was evidence of it, sufficient to make it advisable to have the evidence preserved for any future action which might be taken, or for any future contest which might be started. If the committee found such a condition, I take it that, acting within their discretion, if this resolution should be agreed to, they would impound the ballots for whatever action the Senate or any of its legitimate committees might desire to take in the future.

It is true that nothing may come from it, but if the committee did not have such authority it might be that valuable evidence, evidence of fraud, which perhaps would affect a seat in the Senate, would be absolutely destroyed, because it would be impossible, there being no session of the Senate, for any regular committee of the Senate, after a contest had been commenced, to take the necessary steps to preserve the evidence.

I do not see how this could hurt anybody. It seems to me it is only in the interest of justice. No attempt is made to put upon the special committee any duty which belongs to the regular committee. But I can see how there might be many instances where valuable evidence affecting a seat in the Senate would be destroyed if the committee did not have this authority.

Mr. HEFLIN. Mr. President, I want to suggest to the Senator from Nebraska and to the Senator from California that the Senate, as both Senators and all other Senators know, is the judge of the election and qualifications of its own Members. The responsibility is upon the Senate to find out whether or not a Senator has been elected, if there is any question about it.

The Senate has empowered the Nye committee to go out and make investigations of an election where a Senator is involved. It has done that heretofore and it is doing it now. But here a point is raised about which there seems to be some question, and that is whether they have the authority to go and take the ballot boxes where fraud and corruption are charged. Why should there be any question about it? If they are permitted to make inquiry into everything else, why should not they be permitted to go into the ballot boxes where in my State, in many, many instances, I propose to show that the main skullduggery and fraud and corruption were practiced?

Last week the Senator from Nebraska [Mr. NORRIS] offered his resolution. The Montgomery Advertiser, published in the capital city of my State, printed an article the headlines of which said in effect, "NYE goes after Alabama ballot boxes, but may get ashes," and in the body of the article they suggested that the sheriff has the right to destroy the ballots 30 days after the election. That is not true. The sheriff must hold them for at least six months. This paper said that the boxes are already empty theoretically. There is as broad a suggestion as could be made for those in charge of the ballot boxes to go and destroy the ballots in my State.

The chairman of the committee, Mr. NYE, wired a judge in the county of Montgomery, where the capital of my State is

located, requesting him to give the chairman the law relative to the destruction of ballots within 30 days. The judge wired back that he was mistaken about it. Yet this daily paper has carried the statement over the State that it is all right to destroy the ballots after 30 days. I am expecting to hear that some of the ballots have been destroyed under that suggestion. I believe the suggestion was made for the purpose of having them destroyed.

Mr. SHORTRIDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from California?

Mr. HEFLIN. I yield.

Mr. SHORTRIDGE. In what I have said I have been under the impression that the committee now has ample authority to go into the courts and secure an appropriate order enjoining the destruction of given boxes of papers, and also an affirmative order directing the custodians to deliver the boxes and paraphernalia of the election to the marshal or direct to the committee. I was only curious to have it cleared up as to whether or no the procedure is not well defined and that the committee might well proceed to exercise the power it has. I may be in error.

Mr. HEFLIN. I want to discuss that point for the benefit of the Senate. Why should a Senate committee, representing this body of United States Senators, going out and making inquiry as to whether or not a Senator has been deprived of his reelection through fraud and corruption, have to go to a judge in the State and ask that judge to permit the committee, representing the Senate, to go into a ballot box where the Senator has been voted upon? I hold that we ought not to have to do that. Suppose, for instance, a Federal judge should say, "I do not think you have given me sufficient reason to issue this order." Suppose all kinds of pressure should be brought on a judge in a State to keep him from issuing such an order? Action would be delayed, and it might prevent the committee going into the ballot boxes at all or give time to the opposition to change or destroy the ballots.

Now, I hold, and I believe it is sound, that the Senate has the right to direct its committee to get every kind of evidence. It has already done so with regard to everything else but ballots. Suppose the committee trails fraud to the ballot boxes themselves, and there the committee says, "We must see what is in the ballot boxes," and is told by those who have charge of the boxes, "No; you can not do that." The sheriff has charge of them, and the committee is told that it must get an order from the district Federal judge before it can go into the ballot boxes.

Mr. DILL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Washington?

Mr. HEFLIN. I yield.

Mr. DILL. Suppose that we should give the committee authority to take the ballot boxes and the committee asks those who have the boxes in charge to bring them to the committee and the custodian of the boxes refuses to do so. What are we going to do about it? Is there anything to do except to go to court?

Mr. HEFLIN. We can bring them before the bar of the Senate for failing and refusing to obey an order of the Senate. Sinclair was put in jail for refusing to obey an order of the Senate, and we can do likewise with those who are trying to cover up fraud and corruption in an election, such as was held in many places in my State.

Mr. President, I did not want to have to discuss this case in its details. I have not filed any notice of a contest because I did not want certain parties to know what I am proposing to do about it. I have until the 4th of March to file a contest. I can not understand why some gentlemen are so interested that they want to force me to disclose my hand and give notice that I am going to file a contest in order that somebody may hurry out and destroy ballots in certain places in Alabama.

Mr. WATSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Indiana?

Mr. HEFLIN. Certainly.

Mr. WATSON. Let me ask the Senator a question. Has not the so-called Nye committee already gone into Alabama and asked to have the ballots?

Mr. HEFLIN. They have already had two undercover men there. Perhaps the chairman of the committee can better answer the Senator's question.

Mr. NYE. Did I correctly understand the Senator from Indiana to inquire whether we have already impounded the ballots?

Mr. WATSON. Is the committee going to impound them, or has it already impounded them?

Mr. NYE. The committee has not impounded the ballots because the question has arisen as to whether we do have the positive right to demand, except through an order of the court, the impounding of ballots in the State of Alabama or in any other State.

Mr. WATSON. I will say to the Senator, as I said when we had a conference previously about the impounding of ballots, that it has always been considered by the United States district courts, who have jurisdiction of the subject, in every instance that a committee of the United States Senate does have the right to ask such an order, and on that order of a committee of the United States Senate the court assumes jurisdiction and issues its order. I do not think there is a United States district court in America that would refuse to issue such an order.

Mr. HEFLIN. Then, let me ask the Senator why the Senate should have to ask a court to grant its committee an order to investigate a particular piece of evidence when the committee otherwise investigates every other kind of evidence without such an order?

Mr. WATSON. What the Senator from Alabama wants is to impound the ballots so they can be counted, is it not?

Mr. HEFLIN. Certainly.

Mr. CARAWAY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Arkansas?

Mr. HEFLIN. I yield.

Mr. CARAWAY. I called the Senator's attention yesterday to my view of the certain power of the committee. I think that it is a most dangerous infringement of State rights to turn a Senate committee loose with roving powers, without charges and specifications, to seize the ballots and all the other paraphernalia of an election, and in fact to strip the State of all its authority and all its prerogatives. If the Senator intends to make a contest, why does he not file his contest? Because under the ruling of the Committee on Privileges and Elections if he wants to amend or withdraw any particular charges he will be permitted to do so.

The committee made such a ruling and established a precedent. If he charges in his contest that the ballots were not properly counted, then the committee will issue its order and bring the ballots to Washington to be counted. That is the orderly way to proceed.

Let me suggest—and with that suggestion I shall not interrupt the Senator further—that a special committee undertook to count some ballots in Pennsylvania in the case referred to by the Senator a moment ago. There were two orders of the court in conflict, and what happened? I was a member of the special committee and also a member of the Committee on Privileges and Elections. What happened was that it simply resulted in duplication and confusion. If the seat of the Senator from Alabama is at stake, as it is, the orderly and proper way, where evidence is to be used to determine who shall sit in the Senate, ought to be through a contest where both parties shall be present in person and by attorney. Then when they are through there would never be any conflict such as there was in the proceedings of the so-called Reed committee, as to what actually happened. The procedure there followed led to so much confusion, so much uncertainty, that it struck me as being the most unwise policy ever pursued. We started in with more than $50,000, and then had to do it all over again, and we had innumerable conflicts as to what actually was the state of the ballots when the Reed committee took charge of the matter.

Mr. HEFLIN. Mr. President, the Senate saw fit—and, I think, wisely—to name a special committee. Committees on

privileges and elections sometimes move very slowly. Here has been named a special committee to represent the Senate. That committee is going out and inquiring in the States where elections have been allegedly procured through fraud and corruption. I think if an investigation is made it will disclose some things in my State that will startle the Senate and the country. As soon as the election was over I gave out a statement saying that the election had been stolen from me. All over the State people were saying the same thing. I believe and three-fourths of the people of my State believe that I was elected by 100,000 majority. The ballot boxes will disclose a shocking situation. Why did the Montgomery Advertiser suggest that the ballot boxes would be empty and that the committee would find only ashes? It was a suggestion to burn the ballots. I repeat, I have not filed a contest because I have until the 4th of March to do that. I want the evidence seized, and I want it seized at once. Mr. President and Senators, if we wait upon the Committee on Privileges and Elections to take action and seize the ballot boxes in the various States, it will take a long, long time.

The Senator from Arkansas [Mr. CARAWAY] questions the infringing of the rights of the States. The rank and file of the honest men and women in my State do not want to shield crooks under any kind of understanding, whether it is the right of the State or the right of the Federal Government. They want crookedness exposed, and corruption disclosed and punished. In my State every honest man and woman is anxious that the truth shall be known, that crooks be apprehended, and ballot-box burglars arrested, prosecuted, and punished.

I do not want to have to go to the trouble right now of setting out in a contest what I propose to prove. It is not necessary. I have wanted to have the Nye committee go down to Alabama and gather facts. I suggest to the Senate, since we have to go into it, that that be done. I can not understand the strong insistence of some gentlemen against such a procedure. I know that I have enemies and I know that they do not want the contest opened up. They do not want the condition of the ballots disclosed. I am surprised that there is any Senator who objects to this resolution.

Mr. President, I suggested to the Senator from North Dakota [Mr. NYE] that the election had been stolen. I came to Washington and made a quiet visit to him immediately after the election. I laid before him tangible evidence and told him what I thought should be looked into at once. His committee sent two undercover men down there and I can tell the Senate that their report to the Nye committee astounded the committee and they have not as yet more than scratched the surface of the situation in Alabama.

Let us get the facts. I am not going to detain the Senate; all I want is to get a vote on the resolution. The Senate ought to have the authority, and I believe it has, to gather any part of the testimony pertaining to the election of a Senator, without having to ask a judge to grant an order to get the ballot boxes. The Senate can authorize the special committee, for that committee speaks for the Senate, to secure the boxes in which the ballots cast in a senatorial election have been deposited, especially where it is expected that the ballots would disclose fraud and corruption.

Mr. NYE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from North Dakota?

Mr. HEFLIN. I yield.

Mr. NYE. I think the Senator from Alabama is misinformed as to the plan and intent of the committee itself. Even with the adoption of the resolution now before the Senate the committee, at least its chairman, would have no thought of seeking to impound the ballots in Alabama or in any other State in any other manner than that which has been followed in times past, namely, by a petition to the Federal court for an order to impound those ballots.

There seems to be a misunderstanding, Mr. President, of the purpose of the resolution offered by the Senator from Nebraska [Mr. NORRIS]. My understanding is that it is offered solely because there has been some question raised as to whether under the resolution under which the special committee now operates the power is specifically granted to the committee to request the impounding of ballots in any State, and we are asking now, under the pending resolution, for that expression from the Senate, which would prevail with the adoption of the resolution, indicating that the Senate expected and desired that the special committee have the right to request the impounding of ballots.

As chairman of the committee, Mr. President, I want to say that I sincerely hope no Member of this body believes that the committee itself or any member of it desires taking on any more chores or labors than it already has encountered and has immediately before it. However, if we are to make the thorough and complete study in Alabama that ought to be expected, we have got to have, as I now see it, the power not so much to count ballots as the power to have made available to us the poll books which are in those ballot boxes.

If anyone fears the committee intends to engage in a general recount in Alabama, I need but to call the attention of the Senate to the great cost that has been occasioned by such counts in other States in times past, and then to call to the mind of the Senate that the special committee has no such appropriations available to it as would enable it to engage in a general recount in Alabama. But if we could have possession of the boxes, which would give us possession in turn of all poll books, and at the same time would enable us to hold those boxes intact in the event it was later revealed there were irregularities in the conduct of the election in Alabama, the purpose, it seems to me, would be fully served.

Mr. HEFLIN. Mr. President, I was expressing my own judgment on the matter. I think the Senate itself has the right to obtain those ballot boxes, and I know that it has the power to confer that authority on a committee; but, of course, if the Senate does not want to do that, if we want to continue the old-fashioned way of going to a judge and getting a court order, very well.

Mr. DILL. Mr. President, I have an amendment which I desire to offer to the pending resolution.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 1, line 5, it is proposed to insert, following the numerals 215, "in case a contest is filed against any Senator in the election of 1930," and in line 10, after the word "of," to strike out the word "any" and insert the word "said."

Mr. DILL. Mr. President, if I understand the Constitution of the United States, the Senate has no right to go into the election records as such of any State unless there is involved a question as to the election of some Member, and that question is before this body for decision or for consideration. The resolution of the Senate adopted last April provided for an investigation of the campaign leading up to the election, the campaign expenditures made, the methods of influencing votes, and all other activities that might be of interest to the public, as the resolution states, or might aid the Senate in preparing legislation regarding the conduct of campaigns.

The additional resolution of the Senator from Nebraska proposes to go beyond the election day and to authorize the special committee to take charge of the documents to show the result of the election. That is not a part of the campaign; that is an act that relates to determining who was elected, and should only be resorted to when there is a contest over the seat of some Senator. I recognize that the evidence may show in certain States that ballots should be impounded immediately because a contest may have been filed, and it is possible that the select committee could take action more quickly, and would take it more quickly, than the regular elections committee of the Senate, although, in my opinion, the whole matter is one that should be handled by the Committee on Privileges and Elections.

Mr. CARAWAY. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Arkansas?

Mr. DILL. I yield.

Mr. CARAWAY. If a contest should be filed it ought to be with the contestant and the contestee both represented; there should be no ex parte proceedings.

Mr. DILL. Of course, there is no question about that. I was certain that the chairman of the committee had in mind exactly what he said, namely, that if the committee were authorized to impound the ballots it would only be done in the regular way by application to a court. That is the only way it has been done heretofore, and the only way it should be done.

I do not want to put any burden upon the Senator from Alabama in his desire to fight for his rights; I would be the last man, I hope, who would do anything to hinder any man who believes he has been wrongfully treated in an election by the election officials of his State; but I believe that there is an orderly and a constitutional method by which to do what is desired and that it should be done by a regularly constituted committee of the Senate. When we attempt to empower a special committee which was appointed under a resolution for the purpose of investigating campaign methods, to go into the result of the election itself, we are then giving that committee duties that were never intended when it was created.

I sympathize with the Senator from Alabama in his desire to have a fair count and a fair consideration, but I have not been able from anything he has said or from any consideration I can give to the matter to see why he does not file his contest. He says that he does not want to show his hand. How could he show his hand more than he has done by the speeches he has made on this floor clearly stating that he intends to file a contest?

So, Mr. President, I have offered the amendment simply in order that we may confine the activities of the special committee to the intentions of the Senate when it adopted the resolution, as evidenced by the resolution itself, except in cases where a contest is pending and the special committee thinks it desirable that immediate action should be taken. I do not want to take the time of the Senate, but I do want to have a vote on my amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Washington.

Mr. NYE. Mr. President, I desire to make an inquiry of the Senator from Washington. He may be entirely right in his conclusion, but I ask him if he does not feel that the special committee is directly authorized to anticipate a contest?

Mr. DILL. It may be authorized to anticipate a contest, but it is not authorized to go into the results of the election by interfering with the election ballots or doing anything to interfere with the situation. It is a committee appointed to deal with campaign practices and report to the Senate upon the activities in a campaign that might possibly lead to a contest.

Mr. LA FOLLETTE. Mr. President, I do not wish to delay a vote on the amendment or on the resolution itself. However, as a member of the select committee referred to as the Reed committee, I wish to state that I trust the amendment offered by the Senator from Washington will be rejected. It seems to me the purpose of the so-called Nye campaign investigating committee is not only to conduct an investigation to disclose any fraud or corruption in connection with the nomination and election of Senators, but it is also the duty of the committee to gather information upon which the Senate may predicate remedial legislation. Obviously, regardless of the fact whether there was a contest in a State or not, if the committee came upon evidence which indicated there had been some manipulation of the ballots, it might be very important that the committee should have the right to examine those ballots in order to gather information on which to predicate intelligent remedial legislation.

Mr. CARAWAY. Mr. President, will the Senator yield to me?

Mr. LA FOLLETTE. In just a moment I will yield to the Senator.

I merely wish to add that there is ample precedent for the action contemplated by the resolution of the Senator from Nebraska. The select committee investigating the Vare primary and election in Pennsylvania secured the impounding and took possession of the Pennsylvania ballots. The select committee in that instance devoted its attention to the election paraphernalia in order to ascertain whether any fraud had occurred, the object being, as I understood, to obtain information as to the methods that were employed in manipulating the election. The Reed committee, I think, should have submitted to the Senate a report recommending remedial legislation. It did not discharge that function, but as one member of the committee I have always felt that it had not completed its work. It should have used the information which it had gathered in the conduct of the investigation as the basis of a recommendation for legislation to cure the evil of excessive and corrupt use of money in primaries and elections. Now I yield to the Senator from Arkansas.

Mr. CARAWAY. I thought the Senator was through.

Mr. LA FOLLETTE. I have finished.

Mr. CARAWAY. Mr. President, this is somewhat academic, perhaps, but if we follow the suggestions now made the Senate must constitute itself the overlord of the States, superintend the holding of elections, and certify the results. Arthur Gorman, of Maryland, made himself almost immortal throughout at least one section of the country by resisting the old force bill. That is exactly what is now sought to be accomplished by this committee—not only to ascertain whether or not there has been corrupt use of money but to go into the States, examine the returns, certify the results, and actually to take away from the States the right to hold elections.

Without criticism—because I know there is no one fonder of the chairman of the special committee than I—the committee went up and down the country while the election was pending and had its secret agents traveling through the States, supervising and superintending and influencing or attempting to influence how the citizens of the States should cast their ballots.

There ought to be certainly no power in the Senate, and I do not think there is—and if there is it ought not to be exercised—to try to whip the States into the selection or rejection of any candidate for office. Yet nearly every newspaper was filled with statements to the effect that special agents were in Illinois, or were in Pennsylvania, or were in Alabama, or in Nebraska, or some other State engaged in ascertaining how the people were fixing to hold their elections.

I want the Senator from Alabama to be accorded a fair chance——

Mr. NYE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from North Dakota?

Mr. CARAWAY. I yield.

Mr. NYE. I think I understand the intent of the remarks of the Senator from Arkansas, but I wonder if he does not deal rather unfairly with the committee?

Mr. CARAWAY. If so, I am very willing to be corrected.

Mr. NYE. Would it not be better if he were to say that during the conduct of the campaign in certain States the committee and its agents were interesting themselves in ascertaining whether or not the forces which were presumed to be supervising the conduct of the elections were doing their duty?

Mr. CARAWAY. Is not that exactly the same thing that I said?

Mr. NYE. Not exactly. If that is what the Senator meant, I have no objection.

Mr. CARAWAY. That is what I am seriously objecting to. The Senate can not supervise the holding of an election and leave one vestige of the right in the State. The Senator, I know, realizes that I am not criticizing him, because I have for him a very high regard. I am talking about a method that has grown up. The papers were full of the fact of investigations; and secret agents were in the States—were they not? The papers were full of it.

Mr. NYE. Oh, certainly.

Mr. CARAWAY. And that was true; was it not?

Mr. NYE. It was; largely.

Mr. CARAWAY. That they were supervising the method in which the officials were preparing to hold an election.

Mr. NYE. Oh, no, Mr. President. That would be very, very unfair.

Mr. CARAWAY. What were they doing?

Mr. NYE. I observe, for example, in one State that the press was crediting the committee with having something like 30 or 40 agents in the State, when as a matter of fact there was only one agent of the committee there.

Mr. CARAWAY. It would not make any difference. The number would not change the principle. What were the Senator's agents doing?

Mr. NYE. These agents were devoting themselves to a study of what they understood to be plans for putting in circulation money for use in influencing the election.

Mr. CARAWAY. And giving out publicity touching it? Was not the committee giving out information, and publishing it, touching what the agents were doing, with the expectation of influencing the result?

Mr. NYE. Influencing the result how?

Mr. CARAWAY. There is no use in the Senator trying to bandy words with me.

Mr. NYE. No; let us take a case in point. Let us take Pennsylvania, for example. The committee did interest itself up there in the primary campaign, prior to the primary. It went so far—and the entire committee authorized it—as to send members of the committee to the election officials serving in Philadelphia and serving in Pittsburgh to ascertain what, if anything, they were doing to guard against such practices as were revealed by the study made by the Reed committee. Does the Senator object to that sort of work?

Mr. CARAWAY. Oh, absolutely. I object to the Senate trying to influence or supervise the holding of an election. The whole right of the State depends on that, Mr. President. The Senate ought not to project itself into a State while a contest is there pending. The Congress could pass laws, if it saw fit, regulating the amount of money that might be properly expended; but, if the Senator will go back and think for a minute, the so-called force bill undertook to place Federal inspectors and supervisors at the polls, and everybody everywhere cried out against that.

Mr. McKELLAR. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Tennessee?

Mr. CARAWAY. I yield.

Mr. McKELLAR. It sometimes pays to go back to the Constitution itself. Section 4 of Article I provides as follows:

> The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress—

Not the Senate, not the House, but Congress—

> may at any time by law make or alter such regulations, except as to the places of choosing Senators.

Here is what strikes me: If we are in any way interfering with the rights of the States, we are without constitutional authority to do that. It can be done by the Congress acting as a whole; and that is what was attempted by the bill that the Senator referred to as having come up a generation or two ago.

Mr. CARAWAY. Yes; but here is what I was calling attention to: If there be investigators—which implies action by the Senate, since the Senate is the judge, and the exclusive judge, of the elections and qualifications of its own Members—by indirection it can do that very thing.

I want to impress upon the Senator from North Dakota that what I am saying is not a criticism of him. I am criticizing an action that threatens the very integrity and independence of the elections in the States. I shall protest against the passage of any other resolution that may be so construed. To me it is unthinkable that we should sanction the very practice that once prevailed in 11 of the States, at least, and they thanked God when in effect President Grant struck it down. Elections were utterly devoid of any pretense of being an independent expression of the will of the voters, because they were supervised and controlled, and ballot boxes were rejected, and certificates were overturned; and the State simply went through the hollow mockery of holding an election, and the Federal Government declared the result.

Any attempt upon the part of the Senate, other than by a law, to project itself into a contest while it is pending by supervision, by inspection, by going about among the States and approaching the people who are responsible for the manner in which the election is to be held and inquiring of them how they are going to conduct it, and having special agents there gathering evidence of the manner in which they are conducting the election, negatives the idea that we are having an independent, free expression of the citizenship of that Commonwealth.

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Wisconsin?

Mr. CARAWAY. I yield to the Senator.

Mr. LA FOLLETTE. I am interested in the Senator's statement; and I ask this question merely for information:

Did not the Senator support the various resolutions that were passed concerning the powers and duties of the so-called Reed committee?

Mr. CARAWAY. I never knew—if so, I do not now recall the fact—that the Reed committee projected itself into the contest when the election was pending.

Mr. LA FOLLETTE. Why, Mr. President——

Mr. CARAWAY. As I say, it may have done so.

Mr. LA FOLLETTE. May I refresh the Senator's memory? The statement was made here on the floor of the Senate immediately after the primary had been held in Pennsylvania, and the resolution was passed within a few days; and the committee began its investigation when the candidates in many instances had hardly had time to comply with the law about filing their returns; and we brought them here to Washington and conducted the investigation.

Mr. CARAWAY. But was not that an investigation of an election already held?

Mr. LA FOLLETTE. It was an investigation of the primary and the election which subsequently followed.

Mr. CARAWAY. Oh, I do not think the Senator is accurate when he says that. The general election had not been held. They were examining into the primary election.

Mr. LA FOLLETTE. Yes; but the committee was given power to look into the election, and did so.

Mr. CARAWAY. After the election was held.

Mr. LA FOLLETTE. No; right at the time. It continued its work until the election was held.

Mr. CARAWAY. Well, of course, I have done lots of things I did not intend to do, and lots of things I would not do again.

Mr. LA FOLLETTE. But, I mean, I am surprised that the Senator should have voted for all of those resolutions.

Mr. CARAWAY. Yes; I am, too; and I question that I did it.

Mr. LA FOLLETTE. If the Senator will look up the record, he will find that the Reed committee did exactly what the Nye committee did, except that we did not employ any detectives or investigators; but we conducted the hearing in Illinois following the primary, and we continued our investigation up until the time the election was held.

Mr. CARAWAY. I am as familiar with that as the Senator, and I know he is in error, although I am sure he thinks he is correct.

I went to Chicago myself as a member of the committee. The Committee on Privileges and Elections and the Reed committee had a joint subcommittee that went to Chicago, and we wrote an agreement there which it is too much credit to claim for myself, but I dictated it, under which the ballot boxes in Pennsylvania were by consent taken into custody under the supervision of the committee. Both parties were there at that time; a contest was pending; and it was agreed between them that the Senator elect from Pennsylvania, Mr.

Vare, should name the counties in which he wanted the ballots impounded, and pay for gathering them up, and the contestant was to name those that he wanted impounded, and pay for gathering those up.

What I was trying to say was not a criticism. If I have done these things I am just as much criticizing myself as I am anybody else, and I will be making a confession of it. The Senator from Alabama [Mr. HEFLIN], I presume, intends to file a contest. He has made use of the statement two or three times that he did not want to disclose what he was about. Mr. President, in a contest, as in the trial of a lawsuit, the rules require that notice be given, and the States usually have affirmative statutes that notice shall be given to the opposite party, the contestee. The contestant files his notice of contest, and the contestee, after notice, files his response thereto; and then on these pleadings, though they are liberally construed, action is had by the committee.

I want to say, and then I am through, that the necessity of this resolution requires that I should have said what I am now saying. It is not by way of personal criticism of anybody connected with the matter. I am not impugning the good faith or the character or the integrity or the intelligence of any member of the committee. I am conceding all that; but I am calling attention to the fact that we are in effect, without legislation and without any rule and without any supervision, in fact establishing the principles of the force bill and taking charge of the elections and certifying the result; and I hope that will not ever be done.

Mr. STEPHENS. Mr. President, I desire to say only a word.

The Senator from Wisconsin [Mr. LA FOLLETTE] asked the Senator from Arkansas [Mr. CARAWAY] whether he voted for certain resolutions. The Senator from Arkansas replied that he did vote for those resolutions, which related to certain investigations and appointed a committee.

I am in the same boat with the Senator from Arkansas. I voted for those resolutions and the appointment of those committees. In my experience I have cast many votes, but only a few of which I am ashamed. I deeply regret that I voted for the resolutions to which the Senator from Wisconsin refers. In my judgment, those were bad votes.

I trust that I am just as jealous as any other Senator of the integrity of the Senate, just as anxious to have men of high character elected to this body, just as anxious to have honest elections held; but I feel that in regard to a matter of this kind it is not the province of the Senate to take such action. A contest has not been filed.

I feel that this body is not called upon and this body has no right to act in such a matter until an actual contest is filed. The course for us to take when that is done is well marked out. The Constitution provides that each branch of the Congress is the sole judge of the returns, the election, and the qualifications of its own Members. I have found nothing in the Constitution, nothing yet written into the law, which authorizes this body to go out into a State prior to an election and exercise, in a way, supervision of the election in that State.

I observed the conduct of this special committee, and what I say will not be said in criticism of any member of that committee. I have the greatest respect for each member. I am happy to count each one of them my personal friend.

If there is any criticism to be passed upon anyone, it is upon the Senate itself, or at least upon those of us who voted for the resolution creating the special committee. I am not going to say that the committee went beyond its right and its duty in the slightest respect. I shall grant that they were following what appeared to be the mandate of the Senate in that regard. But I do not approve of the course taken. So far as the effect was concerned in one or two instances, the result was rather gratifying to me, but that does not settle the proposition as to whether this was a proper policy to pursue.

If conditions are investigated in Nebraska, Pennsylvania, Alabama, or whatever State may be called in question, it should be done in the regular way, through a contest filed. It has been suggested that no attempt was made to supervise the elections in the States. That may not have been the purpose, but the effect was just the same. Investigators were sent out to see whether or not citizens of a State appointed as election holders, or members of a committee, were going to violate the law. Inquiry was made as to the methods they expected to adopt; inquiry was made as to what individual citizens or organizations were doing with regard to the support of their individual candidates for office. So, in effect, I repeat, there was a supervision of the election wholly unwarranted by law.

We should stand here and exercise our constitutional rights and perform our duties under the provisions of the Constitution and the provisions of the law on the subject, but we should not attempt to go beyond that; we should not attempt to affect a situation and bring about certain results. I am not charging that that was done in the interest of any candidate. I am sure that it was not so done. But, I repeat, the effect was just the same. It was unwarranted; it was unlawful; it was un-American.

I feel that this matter should rest where it is until the matter is brought up in a proper way. If a situation exists in a State with regard to the election of any candidate which is so grievous, so vile, that it shocks, it is not our business to take the matter up, except in the usual way, which will enable all the facts to be developed. Surely if such a situation exists, a defeated candidate will feel aggrieved; he will have a personal interest in the matter. Surely if there is merit in a contest, or if he has strong reason to believe that such merit exists, then the candidate himself will come forward. If the candidate does not come forward, then a contest may be filed by others. But, as I understand it, no such contests have been filed by anyone.

Mr. President, I shall support the amendment of the Senator from Washington gladly, because I feel that to throw the doors wide open to this committee to go out and do what is suggested here would be improper action on our part and will be without any warrant of law.

Mr. BLACK. Mr. President, in view of the statement made by the junior Senator from Arkansas [Mr. CARAWAY] with reference to the antipathy of the South to any kind of supervision of elections, I send to the desk and ask to have read an editorial which appeared in the Jackson County Sentinel on November 6, 1930, with reference to certain supervision attempted to be exercised in the last election.

Mr. CARAWAY. In what State?

Mr. BLACK. In Alabama.

The PRESIDING OFFICER. Is there objection?

There being no objection, the editorial was read, as follows:

[From the Jackson County Sentinel, Scottsboro, Ala., November 6, 1930]

RECONSTRUCTION DAYS IN JACKSON

The Sentinel, in reviewing incidents of the last few weeks in Jackson County, would at this time be willing to overlook many things that were done in an effort to wreck the Democratic Party in this county. But there was one trick pulled on election day in this county that should be shown up for the benefit of future generations of Democrats that they may be ever constant against the return of the "carpetbagger."

On last Monday afternoon a deputy United States marshal, carrying a big pistol and cloaked with the authority of the United States Government, arrived in Scottsboro. At about the same time a carload of armed strangers who insinuated they were Federal officers arrived in town. These men met in secret conference with the Republican and independent leaders—conferences in the middle of the night, trips over the county in the escort of the Republicans and independents. Not one of them consulted the sheriff or local authorities. They told several people they were officers sent here by Mr. HEFLIN to protect "his interests" and see that Mr. HEFLIN got "a good break."

Tuesday morning these men began touring the county from polling place to polling place and attempting to intimidate Democratic electors, while at the same time independent and Republican leaders appeared on the scene and urged their following to go ahead and sign the challenge oath and vote regardless of whether they were qualified or not. They promised immunity from punishment and protection against any future trouble, stating that the Jackson County jury box was "fixed up" and filled with friends of the independent candidates and no jury could be drawn to convict any violator. One independent candidate was heard by witnesses to urge a hesitant independent voter to go

ahead and vote illegally, with the promise, "I'll get you a pardon from the governor if you should get in trouble."

These armed hordes and this authorized officer of the United States proceeded to cover the county and intimidate hundreds of Democratic voters and scare them away from the polls, while the independents were urging their folks to come on and vote illegally. This marshal, according to reliable witnesses, made the statement that he intended to vote in this county, and he would shoot a hole through any man who challenged him.

Now, this did not happen in Jackson County 50 years ago. It happened in Jackson County Tuesday, November 4, 1930.

Despite this attempt at the "bayonet rule," the Democrats won every man on the ticket.

It is a matter of cold statute law that any Federal officer who appears on the scene of an election and offers to intimidate or interfere in any manner shall be fined not less than $5,000 and also may be given a long prison term.

* * * when our county is flooded with armed hordes telling the Republicans to go ahead and vote, with future protection guaranteed, and warning the Democrats to stay away, it is going a little too far for white people to stomach without trying to give some one "the can" somewhere along the line.

In fairness to many Republicans and many independents, we assume that only a small part of the crowd was responsible for this disgrace of Tuesday. In fact, it is actually known that many local people who were intending to at least split the ticket and favor some local independent candidates suddenly changed their vote to straight Democratic ticket when they saw with their own eyes a host of illegal voters being offered future protection if they would vote for the independent ticket.

Yes; Jackson County spent last Tuesday back in the days of "carpetbaggery," but it set its face like flint and brushed "the scum" aside like it did the negro bayonets of long ago.

We will not be bothered with this kind of thing any more. From now on the Democrats of Jackson County will watch their house that it may not be burned down from the inside.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Washington [Mr. DILL].

Mr. HEFLIN addressed the Chair.

Mr. HARRISON. I suggest the absence of a quorum.

Mr. HEFLIN. Will the Senator withhold that suggestion?

Mr. HARRISON. Yes; I withhold it.

The PRESIDING OFFICER. The absence of a quorum is suggested. Does the Senator from Mississippi withhold the suggestion while the Senator from Alabama proceeds?

Mr. HARRISON. I withhold the suggestion.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. HEFLIN. Mr. President, it is very evident that some Senators are trying to force the continuation of proceedings until the hour of 2 o'clock in order to prevent us from getting a vote on this resolution to-day. This article my colleague has sent to the desk and had read I never heard of before. It contains a slanderous, a villainous, and a contemptible attack upon me. I think my colleague should have called it to my attention before he had read in this body a statement to the effect that I had sent these forces into this county.

Mr. BLACK. Mr. President——

The PRESIDING OFFICER. Does the senior Senator from Alabama yield to his colleague?

Mr. HEFLIN. I yield.

Mr. BLACK. I desire to state to the Senator that it is my judgment that no Senator will believe that this man who came there was instructed by the Senator to go. I have no idea that he was. I state that on the Senate floor. I doubt if the Senator ever heard of this Republican deputy marshal who went into Jackson County to intimidate the voters. It was simply to show the antagonism of the people to having Federal officers coming into any county in the State to attempt to force the result of an election.

Mr. HEFLIN. Mr. President, of course, I never heard of this thing before, and I do not believe that such a thing occurred. If it did occur, it was done by certain so-called Democrats who are not Democrats; they are not entitled to wear the name of "Democrat."

It appears to me, from the language of the editorial, wherein it is stated that after this thing occurred several people who had been for me went and voted the ticket straight, that that was the purpose of having this visitation of a so-called deputy marshal into the county.

Mr. President, I never heard of that thing before, no such thing was ever done at my instance, of course, and there is not a Senator here worthy of being a Senator who believes for a minute that I had anything to do with it.

The VICE PRESIDENT. The amendment to the resolution submitted by the Senator from Washington [Mr. DILL] will be printed and lie on the table. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The CHIEF CLERK. A bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

Mr. HARRISON. Mr. President, does the resolution which has been under consideration go to the calendar?

The VICE PRESIDENT. It does. The Senator from Alabama has the floor.

Mr. HEFLIN. Mr. President, this morning before I came to the Senate a lady telephoned me that she had heard there was going to be opposition among certain Democrats to this resolution. I deeply regret this. I have no apology to make for the course I pursued as a Democrat in 1928, when I opposed Alfred Smith for President. I helped to defeat him in 1928. If he is nominated again in 1932, I am going to help defeat him again. I have no apology to make to anybody for my course. I consider that I never served my party better, that I never served my country better than when I lifted my voice against Alfred Smith and helped to prevent him from becoming President of the United States.

I have seen my party, through unfit and false national leadership, pulled down into the dust. I have seen it perverted from the ends of its institution. I have seen the machinery of my party become the handy instrument of John J. Raskob and Alfred Smith and Kenney, the "immortal" Roman triumvirate. They have my party by the throat, and now their dictation is being obeyed here.

An effort is made to disclose the fact that they helped to have me read out of the party and then helped to have the election stolen from me, and their voice is heard here and opposition is made to prevent the Senate from having certain ballots in my State seized in order that we may be permitted to disclose to the Senate and the country in some respects the most outrageous political steal ever pulled off by any gang of ballot-box burglars. Of course, I do not accuse all those who had to do with the election in my State of being ballot-box thieves. A good many of those people are fine, honest, and patriotic men, but that there were ballot-box thieves in charge of many of the ballot boxes there is no question.

Mr. President, the Senator from Arkansas [Mr. CARAWAY] feels called upon to insinuate that I am seeking to foist upon the people of my State a carpet-bag régime and a force bill. I spurn the suggestion as groundless and contemptible. There is not a word of truth in it. I am not seeking to have any force bill put upon my people. I am against such things.

The Senator from Arkansas, the Senator from Mississippi [Mr. STEPHENS] and other Senators voted wholeheartedly when we were proposing to investigate Illinois, a Republican State, and Pennsylvania, another Republican State; but when it comes to going wholeheartedly into a situation where I, against the combined forces of Raskobism, whipped them to a frazzle in my State by 100,000 votes, they are seeking now through one plan and another to keep the ballots themselves from being inspected. Certain Senators get up here and talk about States' rights. They tell us that we must not foist a force bill situation upon the States. I agree to that. We are not trying to do that.

The man to whose seat I succeeded in this body 14 years after his death, John T. Morgan, was the man who really defeated the force bill. A better Democrat never breathed the breath of life. What was he fighting? He was fighting against having Federal soldiers in the States interfering with and intimidating voters on the day of election. That is what the force bill was. It was not a question of going into ballot boxes after the election where thievery had been charged, where fraud and corruption had been charged, not at all. Mr. President, in this kind of an investigation we are

not offending the citizens of my State, we are not interfering with a single voter. We are not disturbing him or her in the least. The election day is over. It is behind us. I am fighting to have every ballot counted as cast. No decent patriotic citizen can find fault with that doctrine.

Let me bring to the attention of the Senate just what the Montgomery Advertiser stated yesterday. The new governor in my State was inaugurated yesterday, and the Advertiser stated that if the 27 members of the State committee had not read me out of the party, together with Judge Locke, that Judge Locke would have been inaugurated governor and I "would" have been elected to the Senate. They said that yesterday in an article in that paper. I propose to show that this committee bodily read me out of the party, in violation of the primary law of the State. No other State committee in any other State in the Union took such action. No other party machinery was so subservient to doing the bidding of Raskob and his bunch, who had me read out of the party. When they read me out they engaged in a piece of deliberate political assassination and now their partners in the crime are admitting that if they had not read me out of the party, that I would have been reelected to the Senate. What does that admission show? It shows that they admit that I was the choice of the Democrats of Alabama in the primary election of 1930. That is what I said all during my campaign. Is that Democracy—Raskob reaching his hand into my State and secretly aiding in defeating the will of the Democrats, preventing them from voting for the Democrat they wanted to represent them in the Senate of the United States? The Advertiser admits now that if I had been permitted to run in the machine-ordered Democratic primary I would have been nominated.

But, Mr. President, this is not the only place where the Raskobians have interfered in party affairs. Go with me to-day into Delaware and stand by a mound of earth where sleep the last remains of a fine man and a fine Democrat—Joe Marvel. He was an able and a distinguished lawyer. He is dead, many of his friends believe, because of his political assassination by John J. Raskob. He was a Democratic candidate for the United States Senate. Raskob, I am told, tried to force him to come out and say that he was wet, but he refused to do it. Raskob, chairman of the Democratic National Committee, you will see, was putting the "wet issue" above the welfare of the Democratic Party. When Joe Marvel refused to allow Raskob to make him come out as a wet candidate, Raskob publicly aided Tom Bayard and helped to lead the forces to defeat Joe Marvel in the primary, and he died within a few weeks. That is some of the work of John J. Raskob, the unwelcome and unfaithful leader of the great Democratic Party.

My God, how my party has fallen down under these recent sickening conditions. Now, we are to have a few Democrats here it seems stand up and fight for Raskob plans and Raskob rule and to deny me the right to go into certain ballot boxes in my State upon the ground that it is "interfering" with State rights. That is not so. The truth ought to be told. John J. Raskob does not want me to be seated in the United States Senate. He does not want the money which he sent to my State to have been sent in vain. Alfred Smith does not want that done. Kenney does not want that done. But it seems that they are now the immortal triumvirate of my party, down in the ditch, down in the slums, with its leadership, its machinery, where John J. Raskob and Alfred Smith and Kenney have put them. Mr. President, how I mourn this pitiful degeneracy of the machinery of my party.

Yes; I was told before I came here this morning that there would probably be opposition to this resolution. I said to the person talking to me, "No; I do not believe there will be a Democrat who will lift his voice in opposition." But I have been surprised. I am surprised. The hour of 2 o'clock approached and in the last minute of the time when my resolution might be considered and a vote be had, an article was read from a county newspaper in my State charging that certain people who had gone into a county in my State said they were "sent there at Senator HEFLIN's instance to protect Senator HEFLIN's rights." Mr. President, I did not ask to have anybody protect my rights, not even a deputy marshal.

The people all over the State were for me. Every day a multitude turned out to hear me speak. I believe I am within the bounds of truth when I say I spoke to more people in one day in one speech than every other campaigner against me in the State all together addressed on a single day. I believe that is true. I do not recall that I ever had an audience of less than 2,500 to 3,000 people. Opposition speakers were speaking to 25, 35, 40, 50, 75, 80, 100, 150, or 200, and whenever they got up to 300 or 400 they had a magnificent audience. My crowds were immense every day. It was the most exciting election that has been held in my State in my lifetime. The Democrats in Alabama were indignant from the time the Raskob committee read me out of the party for failing to support Al Smith until after election day. Nobody could change the great mass of our people. They advanced to the polls and gave me a tremendous majority, and then the election was stolen from me, and some Democrats outside of my State are hoping to get away with it.

The Nye committee has been startled by some of the things they have already discovered in Alabama. We have already discovered 500 poll-tax receipts forged in one county. Some of them are here in the Capitol right now. If I must discuss this thing in detail I can do it. Five hundred men in one county bore in their hands certificates showing that they had paid their poll tax and were qualified to vote when, as a fact, they had not paid their poll tax and were not qualified voters. They were illegal voters, and every one of them was against me. There were 400 men in the same county who were for me, who had paid their poll tax, whose names were not certified as qualified voters, and they were rejected and denied the right to vote. There are 900 votes involved in that one county, and then Senators rise here and talk about a force bill and denying the State its rights—and threats of "overlordship," the Senator from Arkansas [Mr. CARAWAY] tells us. I am not asking anything of the kind. I repudiate such suggestions. There is not a scintilla of truth in them.

Mr. President, I want Senators here who are fair-minded and courageous to know that there is an effort on the part of some to carry out Raskob's will regarding me. They do not want me to have a fair deal. They are not going to get away with this business of talking about State rights and hiding behind a false issue of State rights. It is fighting for Raskob's "right" to rule the Democratic Party. It is taking orders from the triumvirate—Raskob, Smith, and Kenney.

Mr. President, there is not a better Democrat in the country than I am. I know why I am a Democrat. I know what democratic principles are. I am not going to John J. Raskob or Alfred Smith or Kenney to learn Democracy. The Democratic Party is not going to follow that triumvirate. If Senators invite this discussion, they can have it. Let Senators know that there are two groups of Democrats in the country. They will see a group of them in 1932 if they keep Raskob at the head of the national committee and undertake to nominate Al Smith again, as they now plan to do. They will find they have not seen any battle of the ballots after they have seen the battle of 1932 if they do any such thing as that. I know a lot about these plans and schemes that are going on about the Capitol.

The Democratic Party has been heretofore recognized as the great champion of the common people standing in the open and fighting always for the masses. Now what is the temporary national leadership, what is their attitude, and what is the machinery part of the Democratic Party doing to-day? The chief speculator in the New York gambling stock exchange is John J. Raskob. And he is the head of the Democratic National Committee and we are asked to look to him for leadership, for inspiration, and for guidance. He has the fat purse and he pays the bills.

Oh, how my party has fallen down! I have never surrendered my Democratic convictions; I do not intend to do

so. When Al Smith bolted the Democratic national platform in 1928 he forfeited the right to run as a Democrat; his act justified every Democrat in the country in opposing him; every Democrat in the Nation had a right then to refuse to support him. I was one of them, and I never apologized. In every speech I made I gave my reasons for opposing him. I said, "I opposed him in 1928 and I will oppose him again in 1932, if they nominate him"; and the people stood up and clapped their hands everywhere every day for three or four months until the campaign was over.

There has never been a campaign in Alabama in my day where the people took so much interest as they did in this campaign. The older men and women in towns where I spoke would tell me at every meeting, "This is the greatest crowd I have ever seen gathered about this courthouse;" and, Mr. President, every day the inside agents of Raskob were saying in bad temper, "We do not care how many votes HEFLIN gets; he will not win the election." "Well, how are you going to keep him from winning it?" "We know how to keep him from winning it; we have the machinery, have we not?" "Yes." "Well, that is enough." "We will count him out." In other places the Raskobites said, "All right, go ahead and vote for him, but remember that we will count the votes." That was a threat that they intended to steal the election.

I repeat, there has not been an election in any State in the Union that will compare in crookedness in every known method of stealing elections as those employed in my State last fall in certain counties. I hope we shall be able to prove, and I believe we shall, that frequently in two or three big counties the voters voted as many as two, three, or four times. Let me explain how that was done. Here is a precinct, it may be, with 1,000 votes in it; it has four voting places. The list of every one of the qualified voters is sent to each voting place in the precinct. A man can start in in the morning and go to number 1.

The intending voter asks them to look on the poll list and see if his name is on the list. "Yes, sir; it is on." He votes. Then he can go to No. 2, then to No. 3, and then to No. 4; and unless somebody follows and watches him it is possible for him to deposit four ballots, in every instance against me. That is why it is not desired that the committee go into Alabama; those who manipulated the election do not want their "baby" uncovered.

I told the Senate the story the other day about the old negro who stole a pig in Arkansas—some Senators are here who did not hear it—and he had him covered up with quilts in a cradle. When the sheriff and the deputy went there looking for the pig and asking the old negro about it he held his hands up in holy horror. It is a wonder that he did not invoke States' rights to hide his crime. He said, "Go ahead and look, look all around, investigate if you want to." When they came up and asked, "Well, what have you got in that cradle that you are rocking?" He replied, "That is my baby and he has pneumonia; if the air or light hits him it will kill him." "Well," they said, "we are going to look into the cradle, anyhow." He said, "Well, I do not want to see it, because I do not want to see my baby die," and he was running across the fields and made his escape as they pulled the quilt back and found Mr. Jones's pig—a nice dressed pig. That was the "baby" that he was protecting.

When certain Senators get up here and undertake to talk about protecting the rights of the States in a situation like this they are trying to protect John Raskob's Bankhead political baby, which is now covered up with the quilts of ballot-box manipulators; and if the committee can get all those ballot boxes, I will show Senators something interesting. It is already admitted in that Alabama newspaper to which I have referred that if they had not struck me down in the primaries I would have been reelected, and Judge Locke would have been inaugurated yesterday if they had not read us out of the party. That was Raskob's first stab in the back.

The next stab was robbing the people of the State in the general election who voted for me and wanted me to be their Senator. The men who held the ballot boxes said, "You shall not elect HEFLIN; we are going to elect Bankhead"; and they made good their threat to count Bankhead in. Now I am only asking that the ballots cast be exhibited and let them show for whom the voters voted for United States Senator.

As I told the Senate the other day, Mr. President, the committee has already ascertained that in several instances the ballot handed out to the voter to be voted was marked for Bankhead before it was handed to the voter; it was mutilated, and the party guilty of that was responsible for making that ballot illegal. They marked the ballot before they handed it to the voter, and when he took his pencil and marked it in the other corner and folded it up, and handed it in, on taking the ballots out and counting them it is suggested that certain managers wet the end of a finger and put it on the indelible pale cross mark, thus bringing it out in lurid colors, and then they said, "Look there, he voted twice; we can not count that ballot"; and they laid such ballots aside. The law requires that all the rejected ballots shall be put in the box, and I want the Senate committee to go there and uncover the "baby" and see what is in the boxes.

I never saw just such a situation as I have witnessed here to-day—Senators fighting against the voters of the States—fighting against pure elections. Their action can not be construed in any other way. The quickest way possible to get into these things and expose them is by the Nye committee. I voted to authorize the Nye committee to go into Illinois and to go into Pennsylvania, and, so help me, God, I will never withhold my vote from a measure that seeks to safeguard the voter's right to vote and have his vote counted as cast in a Southern State. That is a sacred right. The voting men and women of my State have got a right to have their votes counted as cast. I am fighting for them. The voters in the Southern States have just as much right to have their votes protected and to have their votes counted as cast as have the voters in Pennsylvania, or in Illinois. O Mr. President, Senators can not get away from that principle. They voted to consider the election in Illinois and in Pennsylvania, and to go into the ballot boxes, but when it comes to going into a Southern State, that is with them entirely different. Particularly in this instance where I, after the whole Raskob machinery in New York wanted me read out of the party, and after I took my appeal to the judgment bar of the people themselves, and they sustained me by the biggest vote in the history of the State, they stole the election from me. The Senate certainly will not refuse to allow the special committee to ascertain what the ballots themselves disclose.

Am I reflecting on the voters of my State when I am demanding that his and her ballot be counted as cast? No. Am I reflecting on my State when I say the voice of my State expressed at the ballot box shall be recorded and respected? That is what I am fighting for here to-day. I do not want their right to vote as they choose to vote to be set aside by men who do not like the way they vote.

If the investigation of ballot boxes and absentee ballots shall disclose that Bankhead was elected, then, what harm will be done? He has in a way, since I demanded it, asked for an investigation, though, just between us, I do not think he wants one. The Alabama State committee, which read me out of the party for Al Smith and Raskob, has come out with a great flourish of trumpets, and it, too, says, "Come ahead and conduct the investigation"; but when the Senator from Nebraska [Mr. NORRIS] offers his resolution that authorizes the committee to go into the ballot boxes, this old hussy, the Montgomery Advertiser, comes out and says, "Well, if they go into the ballot boxes they will not find anything but ashes," suggesting to the sheriff in each county to burn the ballots. Senators, there is no escape from that. Here I am fighting simply for a fair deal for myself as a United States Senator. I had hoped that every Senator would accord that consideration to every other Senator here.

Mr. President, I am entitled to have the truth made known, the facts laid bare, it makes no difference what it takes. Will Senators hide behind the plea of State rights when the ballot boxes are reeking—some of them—with fraud

and corruption? If I were in the place of Mr. Bankhead, I would pull off these friends, if I could, and say, "Do not do that; let the ballots be counted in the open by impartial judges; let the facts be made known; let the truth come to light." That is what I would say. But, Mr. President, Raskob, the "leader," has been keeping in close touch with the Senate. He knows what is going on here; he knows that I have paid my respects to him heretofore, and he knows that I know him. I know how to size up the fellow who poses as a Democrat, and when a fellow calls himself a Democrat and is not a Democrat it is my duty as a real Democrat to call his name and to paint his picture as it is. Raskob has a mortgage of $600,000 on my party and carries it around in his vest pocket.

Frank Kent rendered a good service to the party and the country when he pointed out that no one man ever before had either one of the great political parties under such obligations to him financially as Raskob has my party, the Democratic Party. Because of money, money, money, dollars and dimes, we can not even seriously talk here about getting rid of Raskob as chairman of the Democratic National Committee. We used to have stalwart, able leadership in our national committee and Senators here who would dare to stand up and speak for their party and the good of their country, but it looks like many are getting cowed somehow because Raskob sits on the strong box, because Raskob has got the money; Raskob is a rich man; do not offend him. Oh, Mr. President, what is a great party to do in such a situation? "Go right ahead and do what Raskob tells you; go on and obey him; he is paying the bills of the party; why should we worry; he is our financial boss. Let us follow Mr. Raskob."

O Mr. President, I remember another triumvirate in other days, old Cæsar, Pompey, and Crassus. I do not know who is the Cæsar in this triumvirate; it must be Alfred, who crossed the Rubicon of party regularity and violated his party platform. Pompey Kenney and Raskob; Crassus—and Raskob is the Crassus in this instance—old Crassus had the money and Cæsar and Pompey were the politicians. Raskob has the money, but he has not anything else. He does not know a fundamental political problem or a Democratic principle from a cloud in the sky. [Laughter.] He is the leader of our party they tell us, the once great party of Jefferson, and he is marshaling his cohorts for the campaign in 1932. He is reading out and seeking to destroy every Democrat that will not bow the knee to Baal and fall down and worship at the shrine of Alfred the anointed, Kenney, and Mr. Raskob.

I remind the Senate again that Joe Marvel, dead in Delaware, died of a broken heart because of Raskob's cruel treatment in behalf of the whisky interest. When Marvel would not come out for liquor in his race for the Senate in the primary, Raskob joined in and helped to beat him for the nomination, and he died of a broken heart. Peace to his ashes.

Raskob had me read out of the party in my State. Not only that, Mr. President, but he led his forces against the ablest Senator in this body from the South, one of the ablest who has ever been here in my day. That Senator has done more for the South than any other man who has been in the Senate since I came to Congress in 1904. I refer to that patriotic, stalwart, able, courageous, far-seeing, and incorruptible Democrat, the senior Senator from North Carolina [Mr. SIMMONS]. God bless him. If you could get in behind the facts and disclose the tactics that were used to defeat him in North Carolina, you could see that the trail of the Tammany serpent is over it all. "Kill out the Democrats who stand for white supremacy; destroy those Democrats who believe in clean politics and in courage in public men and in having courageous and incorruptible men in public position."

Oh, these Al Smith-Raskobites boasted that they had defeated and laid SIMMONS out. They said, "Now we are going after HEFLIN"; and they went after me; and now they are begging you not to go into the ballot boxes. There is where the thievery is. There is where the corruption lies. There is where they did their dirty work in taking from me a majority of 100,000 and giving to Bankhead a mapjority of 50,000.

Do you know why they did that? They said: "If you give Bankhead 50,000, Senator HEFLIN won't contest; he will drop it." They first figured on giving Bankhead 8,000, and then 10,000; but they said, "If he did contest, he might undo all that. You had better make it big"; so they gave Bankhead 50,000. They could have given him 100,000 just as easily; but, even when they did that, they failed to give him and their ticket within 50,000 of the votes they claimed to have polled in the primary.

I charged in the campaign in the general election that they padded the returns in the primary, that they padded and stole over 40,000 votes in their primary; Judge Horace Wilkinson, of Birmingham, pointed that out, and I was not running then. They never denied it, either. When the final ballot was cast and counted, they claimed to get 150,000 for their ticket, when they claimed to have polled 200,000 in the primary, I said, "You either stole 50,000 in the primary and padded your returns, or I took 50,000 patriotic Democratic voters away from you after your corrupt primary election was held." But what did that avail, if they had enough managers "fixed" in enough counties to steal the ballots and defeat the will of the patriotic people of my State?

Mr. President, I owe it to my party, I owe it to the Democrats of Alabama who have honored me for over 20 years in the Congress of the United States, I owe it to the memory of Jefferson, Jackson, and Wilson, to stand true to the principles of my party. So help me God, I intend to do that! I am going to fight to break the corrupt bands that bind my party to Raskob, Al Smith, and Kenney, the Tammanyites. Their leadership must be abandoned in this Nation. If the Democratic Party expects to elect a President, let it shake off the robes of this old Raskob machine, and return to the ancient principles and landmarks of the Democratic fathers. By doing that it can achieve a great victory, and bring back the confidence and respect of the people everywhere. But, Mr. President, we can not get anywhere with a party like ours trailing behind Raskob's moneybags, surrendering its convictions and going to Tammany for its inspiration and leadership.

Mr. STEPHENS obtained the floor.

Mr. McNARY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Oregon?

Mr. STEPHENS. I do.

Mr. McNARY. May I ask the status of the bill?

The PRESIDENT pro tempore. The question is on the unanimous-consent agreement requested by the Senator from Oklahoma [Mr. THOMAS] to unite his two amendments, so that both may be voted upon together. In order to do that, however, if that request is granted, it will be necessary to reconsider the vote whereby the amendment on page 60 was considered.

Mr. STEPHENS. Mr. President, I desire to refer to one statement made by the Senator from Alabama [Mr. HEFLIN].

Mr. BROOKHART. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Iowa?

Mr. STEPHENS. I yield; yes.

Mr. BROOKHART. I should like the Senator to yield for a moment in order that I may obtain unanimous consent for the passage of a bridge bill.

The PRESIDENT pro tempore. Does the Senator from Mississippi yield for that purpose?

Mr. STEPHENS. I will say to the Senator, that while I shall be glad to yield, I shall not occupy more than two or three minutes, if the Senator is willing to wait that long. Otherwise, he may go ahead.

Mr. President, I was just remarking that I desired to refer to one statement only that was made by the Senator from Alabama. He said that certain Democratic Senators were engaged in an effort to prevent the opening of ballot boxes in Alabama. He stated that an inspection of those

boxes would show that there was fraud and corruption of the grossest sort, irregularities, many things done that were improper, and that were extremely hurtful to him.

So far as the statement has any reference to me, I desire to say that any charge or insinuation that I am prompted by any desire to prevent the exposure of fraud, if such there be, or to have any injustice done anyone, is absolutely untrue. The Senator's whole argument is misleading. It is not based upon a true premise. There has not been exhibited in this Chamber, so far as I have seen or heard, any disposition on the part of any Senator to prevent fair play, or to prevent fraud from being exposed.

The Senator knows that he, as a defeated candidate, has the right to file a contest; and he knows also that when he files that contest he can have the ballots impounded. He can have the ballot boxes opened and the ballots inspected. He can have the poll books inspected, and see whether or not anyone voted who was not entitled to vote. Everything that was irregular or improper can be fully exposed by that method. If he is firmly convinced that fraud was done, that injustice was done, why has he not followed the usual course in matters of this kind?

Talk about trying to keep the ballots from being inspected, or the ballot boxes from being opened! I recall that in the rather historic Steck-Brookhart contest more than a million ballots were brought to this city. The boxes were opened; the ballots were inspected and counted. The argument that the Senator makes, it appears to me, is made in an effort to mislead and deceive the people, to create a false impression and a prejudice against those of us who are standing here and asking that this matter proceed in an orderly way.

We have a Committee on Privileges and Elections. This matter really should go there; but if not, the amendment proposed by the Senator from Washington [Mr. DILL], to the effect that ballots shall not be impounded and ballot boxes shall not be opened and inspected except in a case where a contest has been filed, carries with it the idea that the Senator from Alabama will have every right that could be had by this committee if this power should be granted to the committee. Either this particular committee or the regular standing committee, one or the other, when a contest is filed, could have these ballots brought to the city of Washington, and every phase of fraud and misconduct could be investigated in that way.

Why the Senator fails, why he hesitates to file his contest, I do not know. Why he wants us to take this unusual course, I do not know; but the door is open to him. The door is unlocked. He is very free in making his charges, but very slow in getting behind a contest.

It may be, Mr. President, that one reason for that is shown by some remarks he made. He had a lot to say about the action of the Democratic committee in his State. I am not interested in that proposition. It makes no difference to me whether the committee was right or wrong in reading him out of the party. Nor is the Senate interested in that proposition. The Senate has no desire, I am sure, to enter into an investigation with regard to factional politics down there. That is not the province of the Senate or of any committee of the Senate. But the Senate as a body, and each individual Senator as a Member of that body, are interested in the integrity of the Senate and its membership and are interested in the question of fraud.

I say again, why does not the Senator file his contest where this whole matter might well be opened up, and I have no doubt if he shall be able to prove many of the charges he has made action will be taken that will be satisfactory to him. On the other hand, unless those charges are proven he will not be a Member of the body after the 4th of March. He seems to want to go out in far and foreign fields and drag in many questions which are not pertinent, which are not relevant, which are not interesting, in an investigation of this kind.

Mr. President, I simply rose to say that any statement with reference to efforts on the part of Democratic Senators being prompted by a desire to cover up fraud, if it was intended to include me, is absolutely unfair, unjust, and untrue.

Mr. GOFF. Mr. President, will the Senator from Mississippi yield to me?

Mr. STEPHENS. I yield.

Mr. GOFF. Do I understand the Senator to contend that the Senator from Alabama could now file a contest before the Committee on Privileges and Elections, and that such regular committee of the United States Senate would have jurisdiction at this time to entertain that contest?

Mr. STEPHENS. That is my opinion; yes.

Mr. GOFF. I understand that such is not the rule and that such a contention is not the law, to anticipate that the committee will have jurisdiction now over the right of a man to take his seat in this body in advance of his right so to take his seat. Obviously, unless there is an extra session of the Senate, the successful candidate in Alabama will have no right to take his seat in this body until the 1st of December, 1931.

Mr. STEPHENS. I was speaking about the final determination; I was not speaking about the present effect; certainly not. Whenever a Senator or a candidate for the Senate files a contest, then the contest is referred to a committee. Then the committee, under the rules of the Senate, takes the matter under consideration, makes the investigation, allows the contestant to file his charges, his reasons for the contest, and it allows the opposite party, the contestee, to file his answer. There may be a replication. Then the case—and we may well term it a case—is in the hands of the committee for investigation, and for determination and report by the committee back to the Senate. Then, of course, the matter is heard in the Senate as the final tribunal. The Senate is a continuing body. The Committee on Privileges and Elections can take action to protect the rights of the parties. Of course, final action as to which is entitled to be seated would be taken at the next session.

Mr. GOFF. Mr. President, let me say, in reply to the remarks of my friend from Mississippi, that it is not my understanding that any regular committee of the Senate can assume, if I may so term it, an anticipatory jurisdiction of any matter which is not legally and constitutionally before the Senate as a legislative body.

Mr. STEPHENS. Mr. President, I did not amplify the proposition. Of course, we all understand that the matter of contest does not go to the committee simply because such a committee is existing, but it comes before the Senate, and the matter is referred by the Presiding Officer of the Senate to the committee, and after jurisdiction is given the committee then it acts.

Mr. GOFF. Mr. President, it is my suggestion that the Committee on Privileges and Elections can not at any time prior to the successful candidate in Alabama taking his seat, or presenting himself to be sworn in as a Member of this body, assume jurisdiction to exclude him or to determine the question whether he can come to the Senate as a Senator elect.

Mr. CARAWAY. Mr. President, will the Senator from Mississippi yield to me?

Mr. STEPHENS. In just a moment. My recollection is that the Senator from Alabama has a right to give notice of a contest, even before Mr. Bankhead the Senator elect, makes his appearance here.

Now I yield to the Senator from Arkansas.

Mr. CARAWAY. All I intended to say, Mr. President, was that this is not a moot question. In the Pennsylvania contest the pleadings were filed and the ballot boxes preserved in advance of the meeting of the Senate. Everybody concedes that the Senate which finally passes on the contest is the Senate in which the contestee takes his seat.

Mr. STEPHENS. Certainly.

Mr. CARAWAY. But the right of preserving the evidence and of taking the evidence is, the Senate being a continuing body, in the Senate. That question never would be disputed by anybody who would stop to think about it.

Mr. STEPHENS. That is what I was about to say, that we do not have to wait until the 4th of March, when Mr. Bankhead's term is supposed to begin. The contest could have been filed the day following the election in Alabama if my friend the Senator from Alabama had desired and was prepared at that time to proceed with a contest.

Mr. GOFF. Mr. President, I will say to the Senator from Mississippi that the remarks of the Senator from Arkansas assume the existence of a situation which he can not assume to exist. I was a member of the committee which investigated the Illinois and Pennsylvania elections. We were investigating the primary. We were not faced with the charge, except in several remote instances, of fraud in the ballot boxes. We were faced with the charge of excessive expenditure of money in the primary, and it was not at any time necessary to seize the ballot boxes in either one of those States to determine the issue then before the committee, as to whether there had or had not been excessive expenditure of money. But in certain instances, during the vacation and prior to the meeting of the Senate in regular session and following the election, we investigated certain of the election precincts in Pennsylvania and proceeded to impound the ballots. When request was made of those in charge of the ballots that they be impounded, many of the officials sent the ballots immediately by truck to the city of Washington, and in those instances in which we met with a refusal an appeal was made to the courts, because the committee felt that it had jurisdiction so to do in order to determine the further question whether the excessive expenditure of money had displayed itself in an improper or fraudulent casting of votes. We proceeded upon the theory that if a red line of fraud ran through the primary and into the election that the jurisdiction of the committee was legally extended into the election to obtain such corroborative evidence as fraud at the polls might disclose.

In no instance was there a contest before the regular committee known as the Committee on Privileges and Elections. The special committee acted independently of the regular committee in every sense of the word, and when the Senate convened and received a partial report from the special committee it was not the jurisdiction of the regular committee to interpose any objection whatsoever, and it did not do so.

The objections to Mr. Smith taking his seat in the Senate, as well as to Mr. Vare taking his seat, were interposed by the special committee, and when I heard the remarks this morning of the senior Senator from Wisconsin [Mr. LA FOLLETTE] I wanted to say that I indorsed every word he said He stated not only the facts, as I recall them, but he stated the law which governed the Reed committee, as it was termed and denominated. He and I were members of that committee at the time, and we discussed and considered these questions diligently and exhaustively. I desire to say to my friend from Mississippi that the committee spent days and nights—and the Senate eventually approved its conclusions—studying the law pertaining to this question. The committee consisted of Senators Reed, of Missouri, KING, McNARY, and myself. In no instance was there any contest. It was the conclusion of the committee that at that time the men who were offering themselves as the candidates elect from both Illinois and Pennsylvania were not entitled to take their seats, and it so reported to the Senate.

Mr. STEPHENS. Mr. President, none of that gets away from the proposition that the Senator from Alabama has full right to file a contest. That is the usual, ordinary procedure in such cases. He has not done so. He has been very free and bold in his statements and charges about fraud, but he has never put himself behind a contest. That is the proposition I was urging. In that case every opportunity could be had to inspect the ballots and expose any fraud that might have been committed.

Mr. GOFF. I know, and I am debating with the Senator that I do not think the Senate has any jurisdiction to entertain that contest.

Mr. CARAWAY. Mr. President, I see no reason why I should inject myself into this academic argument. I realize that all the virtue and all the brains of the Senate are about to retire from it, although we will doubtless carry on.

MISSISSIPPI RIVER BRIDGE AT M'GREGOR, IOWA

Mr. DALE. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 10621) authorizing W. L. Eichendorf, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near the town of McGregor, Iowa.

Mr. BROOKHART. I ask unanimous consent for the immediate consideration of the bill.

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the Postal Service, and provide for military and other purposes, W. L. Eichendorf, his heirs, legal representatives, and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near the town of McGregor, Iowa, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon W. L. Eichendorf, his heirs, legal representatives, and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is located, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said W. L. Eichendorf, his heirs, legal representatives, and assigns, are hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of Wisconsin, the State of Iowa, any public agency or political subdivision of either of such States, within or adjoining which any part of the bridge is located, or any two or more of them jointly, may, at any time, acquire and take over all right, title, and interest in such bridge and its approaches and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of 20 years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property; and (4) actual expenditures for necessary improvements.

SEC. 5. If such bridge shall at any time be taken over or acquired by the States or public agencies, or political subdivisions thereof, or by either of them, as provided in section 4 of this act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 6. W. L. Eichendorf, his heirs, legal representatives, and assigns shall, within 90 days after the completion of such bridge, file with the Secretary of War and with the highway departments of the States of Wisconsin and Iowa a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and pro-

motion costs. The Secretary of War may, and upon the request of the highway department of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said W. L. Eichendorf, his heirs, legal representatives, and assigns shall make available all records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 7. The right to sell, assign, transfer, and mortgage all of the rights, powers, and privileges conferred by this act is hereby granted to W. L. Eichendorf, his heirs, legal representatives, and assigns; and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure, or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

CASHING OF VETERANS' CERTIFICATES

Mr. CARAWAY. Mr. President, I gave notice on the 5th day of January of a motion to discharge the Committee on Finance which has under consideration the bill (S. 5060) to provide for the immediate payment to veterans of the face value of their adjusted-service certificates, a bill introduced by myself. It is in the nature of an amendment to the act under which the adjusted-compensation certificates were issued. I ask unanimous consent now that the motion to discharge the committee may be laid before the Senate and action taken upon it.

The PRESIDENT pro tempore. Is there objection?

Mr. SMOOT. Mr. President, let me say to the Senator from Arkansas that notices have gone out for a meeting of the committee on next Monday, at which time this matter will be considered and a hearing had. I have letters from numerous people who want to be heard. They will be notified, and anyone else that desires to be heard may be heard at that time. I do not think it is necessary to have long hearings.

The Senator must know that the Committee on Appropriations has had every moment of its time taken up in the last few weeks. I have intended, just as soon as we got the Department of the Interior appropriation bill out of the way and whether we get the bill through this week or not, that we shall proceed in the committee to the consideration of the matter to which the Senator refers.

Mr. CARAWAY. Does the Senator object to the present consideration of my motion?

Mr. SMOOT. I prefer to let it go over until we have had an opportunity to consider the matter in the committee.

The PRESIDENT pro tempore. Is the Chair to understand the Senator from Utah to have objected?

Mr. SMOOT. I am not objecting.

Mr. CARAWAY. As I understand it, then, on Monday we are to begin hearings on the legislation before the committee?

Mr. SMOOT. Notices are out to-day calling a meeting for that time.

Mr. CARAWAY. Does the Senator assure the Senate that the measure will be reported at this session of the Senate to pay these certificates?

Mr. SMOOT. I think that after the hearings are held there may be a majority of the committee perfectly willing to report out the bill just as it is. There may be some amendments to the bill, but, of course, I can not say.

Mr. CARAWAY. May I ask again, if I am not too personal with the Senator, if he himself is in favor of reporting some measure to that effect?

Mr. SMOOT. To tell the Senator the situation, all I have done is to read the report. I asked for an immediate report from the director of the bureau. I have that report here. I have not had time to go into the details of it, I will say to the Senator, and I would not want to bind myself now by a declaration.

Mr. CARAWAY. Will the Senator vote to report it out favorably or unfavorably so it may reach the floor of the Senate in some form?

Mr. SMOOT. I have not any doubt that will be the action of the committee.

Mr. CARAWAY. Will the Senator aid in getting it to the floor of the Senate, either with or without a favorable report, or with no report at all?

Mr. SMOOT. The Senator has a right to make a motion, at any time, to discharge the committee. If the bill is not reported out I would not have a particle of objection to the Senator making that motion.

Mr. CARAWAY. Will the Senator aid us in getting the bill to the floor of the Senate?

Mr. SMOOT. I will do everything in my power to bring it to the attention of the committee, and the committee can then act as it sees fit.

Mr. CARAWAY. Will the Senator aid us in getting it to the floor of the Senate—not that he will call it to the attention of the committee, but will the Senator support some kind of a report to be made to the Senate?

Mr. SMOOT. I will have to support whatever the majority of the committee does.

Mr. CARAWAY. The Senator can help make the majority. Will he help make a majority to report it out in some form?

Mr. SMOOT. I do not want to say before the hearings are had what I am going to do.

Mr. CARAWAY. In other words, the Senator will not commit himself that he will not permit a policy of smothering the bill in the committee to be carried out?

Mr. SMOOT. I am not going to participate in any such policy. The Senator can call up his motion if he is dissatisfied with the action of the committee.

Mr. CARAWAY. Of course, I know what my rights are.

Mr. SMOOT. But I do not want that to be done. I want the committee to take action and every Senator will be advised of the action that is taken by the committee.

Mr. BARKLEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Kentucky?

Mr. CARAWAY. I yield.

Mr. BARKLEY. I wish merely to state to the Senator from Arkansas, speaking for myself as a member of the Finance Committee and as the author of a similar bill which has been pending before that committee for over a year without opportunity to be heard, that the committee will have an opportunity to vote by yea-and-nay vote as to its attitude on this legislation. I propose to make a motion to report out some legislation along this line, and the committee has one way by which it can express itself, and will do so, I have no doubt.

Mr. CARAWAY. During the coming week?

Mr. BARKLEY. I hope so.

Mr. SMOOT. I have no intention whatever to try to hold it up. I know that the Senator from Arkansas knows the situation in which the committee has been proceeding. I have been spending every hour of my time from early morning until late at night in order to get the deficiency appropriation bill ready to report out and the Interior Department appropriation bill disposed of.

Mr. CARAWAY. I think that no other such important legislation is pending before the committee as this measure. There are 4,000,000 men carrying an enforced loan to which they never assented and ought never have been required to carry. They need their money. The Government owes them the money and in common justice they ought to be paid.

Mr. BRATTON. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from New Mexico?

Mr. CARAWAY. Certainly.

Mr. BRATTON. I hope the Senator will employ every parliamentary weapon to get action upon his motion, because, without entering into detail, I think it proper to announce that no report will be made upon the bill during

this session of Congress—that is to say, the Finance Committee will not report it to the Senate. It ought to be acted upon. I favor the Senator's measure. I think nothing would contribute more to combating the present depression than to pay off the obligation and put the money into circulation.

Mr. CARAWAY. We owe it.

Mr. BRATTON. Yes; we do.

Mr. CARAWAY. That is admitted.

Mr. BRATTON. Yes; the obligation is admitted.

Mr. CARAWAY. Of course until the opportunity comes I can not press the motion, but I do not waive it. I intend to press it and get some action on it. I intend to give every Member of the Senate the opportunity to vote on the motion to discharge the committee, although I know many members of the committee like my friend from Kentucky [Mr. BARKLEY] are anxious to get action upon it. If the committee shall be discharged and thus the bill which I introduce is brought to the floor of the Senate and placed upon the calendar, it is then subject to amendment. If there is a better measure pending, it may be substituted for my bill. The thing I am seeking to do is to get action, and I am going to get it if it is humanly possible to do so.

Mr. President, I hold in my hand over 200 letters coming from the different States in the Union, every one of them protesting against the delay that is taking place in determining whether the Congress will authorize payment to these men of the debt the Government owes them. So far as I know it is the universal belief of the ex-service men that this is an obligation which the Government owes them and which ought to be paid now. They are required to borrow money and pay three times as much interest for it as the Government would be required to pay, were it to borrow to pay its debt to these men. Besides, they can borrow only a pittance.

It is said by some who oppose the bill that these men are too young yet to know how to use the money if they had it, and that they are going to need it worse at some time in the future than now. When they get the money under the present law the average age of these men will be above 50 years, unless some such measure as mine is passed. Their place in society will have been fixed. Their success or failure in life will have been determined under the provisions of the present law, before these certificates are paid. When the country needed the services of these men no one interposed an objection to the immediate passage of a bill which required them to lay aside whatever their occupations were, give up their hopes and their ambitions, and become soldiers. If the men had said, "This is not the opportune time; wait until 1945, and then we will discuss the question with you as to whether we will serve or not," we would have been paying reparations instead of adjusted compensation.

Mr. BARKLEY. Mr. President, will the Senator yield again?

Mr. CARAWAY. Certainly.

Mr. BARKLEY. According to my information the Secretary of the Treasury has paid on the other public debt which we owe as the result of the war two or three billion dollars more than the law required him to pay.

Mr. CARAWAY. Absolutely.

Mr. BARKLEY. If that two or three billion dollars which has been applied to the overpayment of the public debt due to other people had been applied to the payment of the bonus due our ex-service men, it would have been almost enough to meet that debt entirely.

Mr. CARAWAY. Yes; and I call the Senator's attention to the fact that the other man had a voluntary obligation entered into by himself by which he became a creditor of the Government.

Mr. BARKLEY. Yes; and he did it as an investment.

Mr. CARAWAY. Absolutely; and these men were not asked what they wanted. They were not in favor of this plan when the law was enacted. Congress said, "You are entitled to compensation; we recognize that, but we deny your right to get it until 1945. We make you our unwilling creditors for a quarter of a century, or until you are past 50 years of age." That is the situation. As the Senator from Kentucky said, the Secretary of the Treasury gladly paid the holders of other obligations of the Government before they were matured, and refuses to pay those of our obligations which are not voluntary obligations, but which these ex-service men were forced to accept.

Mr. BARKLEY. They had no voice whatever in the character of their obligation or the terms of the contract or the length of it. Assuming that it should not be discharged until 1945, I think it fair to assume that at least one-third of those who were entitled to it in the beginning will not be able to use it, because they will be dead.

Mr. CARAWAY. Yes; more than half of them will have died. Their average age will be about 50 years at that time, and more than half of them will have gone on. To say that they will need it worse then and that they will be better able to know what to do with their money then is an assumption of superior knowledge which the circumstances do not justify.

Mr. BARKLEY. If the Senator will yield further, I wish to suggest that the payment of this obligation in some form does not involve any increase in taxation whatever, which seems to be feared by a great many people. It simply involves changing the character of the obligation. It does not increase the indebtedness of the Government by one dollar. It will not necessitate to the extent of 30 cents any increase in taxes on the part of the people. It simply involves a change in the character of the obligation so that the men who are entitled to the money can draw it now instead of 15 years from now.

Mr. CARAWAY. I shall press the consideration of the motion at this time, and I shall do so at the earliest opportunity.

The PRESIDENT pro tempore. Objection is heard to the request of the Senator from Arkansas.

Mr. CARAWAY. I ask unanimous consent to print in the RECORD a few of the many letters which have come to me and to which I referred a moment ago.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The letters are as follows:

HUNTINGTON, W. VA., *December 31, 1930.*

Senator THADDEUS H. CARAWAY,
Democrat.

MY DEAR SENATOR: You are right, the ex-service men should have the compensation provided them through endowment certificates now instead of 20 years later, as you say, half of them will be dead by that time. Let them have it now and enjoy some of it while they may to repay them for the many hardships they suffered over there to save our country for us. The old Republicans are trying to steal their certificates off of them in interest through pretended loans, interest eating them up while the veteran gets no real benefit from the small amount they receive. Its just a crooked, dishonest, fake way the Republicans have of doing things. Push it through, dear Senator, the country is with you; we all have an ever-watchful eye on that Congress; we know who are for the war vets and betterment of the country in fact; and who are against them; we know the old Republicans fight every bill that's right, but the people are beginning to see who's for them and who works to their advantage; the last election tells us that. We know the war vets will never get anything the Republicans can keep them out of, but thank goodness they don't have all the say, and here's hoping they will have a lot less power in near future, which I know, when the new Congress convenes, will take effect. Here's hoping for an extra session of new Congress. Please fight for pension bill for war vets, which if vet should die and leave widow and children they would be able to get it. The country knows it's up to the dear old Democrats to put these things through, and we all, and everybody, thanks you all from the depths of their hearts. May God bless you all and help you through with your good work is my prayer.

Mrs. ARCHIBALD MASON.

PHILIPP, MISS., *January 7, 1931.*

Senator THADDEUS CARAWAY,
Washington, D. C.:

Kindly allow us to respectfully petition you to do everything in your power to secure the passage of the bill for paying the ex-service men their bonus certificates in full.

Our section through here is in a pitiable condition, and if this piece of legislation is passed it will go a long way toward not

only relieving the distressed service men but would also greatly stimulate business in general.

B. C. Zeigler, ex-service; N. W. Lea; W. C. Jacks, ex-service; Webster Buchanan, ex-service; Alph D. Blaylock, ex-service; W. H. Burk, ex-service; W. N. Houston; A. M. Hayward; E. M. Sanders, ex-service; R. G. Davis, ex-service; L. M. McMahon, ex-service; A. C. Clark; M. C. Wigurton, ex-service; S. L. White, ex-service; Oliver Stubbs, ex-service.

BATESVILLE, ARK., *December 29, 1930.*

Hon. T. H. CARAWAY,
United States Senator, Washington, D. C.

DEAR SIR: I have been keeping up with the fight you are making in an effort to try to obtain payment to veterans of the adjusted-compensation certificates. Have talked with a good many men holding these certificates and have decided that your plan is about the only thing that will bring any relief to this part of the country.

Taken as a matter of charity, I would be strictly against it, and know that this would be the attitude of the majority of the ex-service men, but do not see how it can be considered in that light. The Secretary of the Treasury seems to take this view, but it will be remembered he took that view of the original issuance of the certificates, and that issuances in the present amounts was only as a compromise by you and other leaders of what should have been given at that time. Just to advance the time of payment for a few years of what a man is going to be entitled to and which he now has an interest in certainly can not make a beggar of him.

As to the relief your measure would bring about, we, of course, only know the conditions locally over this State. As you know, 90 per cent of the money paid under these certificates would go either to a farmer, a small business man, or a son or near relative of such a man, and would form an emergency fund when it is about as badly needed as can ever be imagined. In fact this is the one thing, so far as north Arkansas is concerned, which will save us from slipping back at least 20 years in our progress.

There might have been a time shortly after we came out of the Army 11 years ago when the majority of soldiers would have thrown this money away in a wild spree, but it must be remembered that we are all 11 years older now and that a great many of these same men have their little farm, own a small business or are interested in a larger one, and that they have been taking their part as citizens of this Nation for over 10 years.

The amount of these certificates would, in untold instances, enable young farmers to pay off mortgages and put their operations on a paying basis and many young business men to avoid bankruptcy that is sure to come to many of them in the next few months of the present depression unless they get some relief.

You may rest assured that the ex-soldiers and their families and friends in north Arkansas appreciate the work you are doing in their behalf.

With kindest regards, I am, very truly,

JOE MCCALEB.

DRAGON, UTAH, *December 16, 1930.*

Senator CARAWAY,
Washington, D. C.

MY DEAR SENATOR: Inclosed you will find a clipping of a veteran that is in dire want.

One very good reason why the veterans' appropriation should be passed. I sincerely hope that you Senators will look at the bill conscientiously and pass it. Thanks very much.

Yours respectfully.

C. F. MONTGOMERY, M. D.

VET, FAMILY STAY ABED TO BE WARM

"We just got up," said a war veteran in an apologetic manner when a "sub for Santa Claus" called. "We don't stay in bed from laziness, but our fuel is so low that we keep warm under the covers until the kiddies won't stay there any longer. By staying in bed as long as possible we can get by on two meals a day."

The children in this family are three beautiful little girls. All of them expect Santa Claus. The husband can not find work, nor can his wife. They live in a half completed little home and occasionally receive assistance from the county.

"I'd work my fingers to the bone if I just had a chance," the man said.

In another home a woman, abandoned by her husband, is striving to send her older children to school and keep food in the mouths of other youngsters. The oldest girl, who is 16, is without shoes. The other youngsters also are sadly in need of clothing.

Another woman, whose husband died two years ago, is experiencing difficulty in keeping her family fed and clad. She is a cook by profession, but has been unable to find work during the last five months.

Hundreds of youngsters will be neglected unless "Subs for Santa" extend their aid.

Can you think of the Christmas morning disappointment in hundreds of Salt Lake homes without wanting to do your bit toward bringing joy and happiness to a child?

DAYTON, OHIO, *December 17, 1930.*

Hon. Senator CARAWAY,
United States Senate, Washington, D. C.

MY DEAR SENATOR CARAWAY: May I take the pleasure in complimenting you for your sincere effort in behalf of the veterans of the World War in submitting your bill relative to the payment of the adjusted-service certificates? This particular bill has created a great deal of speculation among the veterans and will naturally hold the interest of the veterans until your bill is passed or defeated.

The ill and timely advice of several of the most prominent men of Washington, especially that of the Hon. Secretary Mellon, naturally places him amongst the Three Horsemen; now we have four. Now, from the bandbox comes the playing politics with human misery. Yes, there was no human misery amongst the veterans of the World War, who suffered and died upon the western front to uphold democracy at $1 per day.

My dear friend, would there be a more opportune time to consider this bill at this time of depression and suffering; is there a more efficient way to stimulate by such an equal division of moneys business of the United States? Could there be a more humane effort than yours?

They will tell you your bill is bad legislation and that the required amount of bonds to be floated is beyond reason; but, in the event that this bill goes over, we know that the bonds will be floated in record time.

What will those 3,000,000 veterans and their dependents think of their Representatives who fail to support your bill, and just what degree of suffering amongst the thousands of destitute veteran families could be avoided by the passage of this particular bill? Ask Mellon; he knows.

You have my best wishes, yet I am prepared to take the same old "bunk" that has been pressed out to us since the passage of the graveyard certificates at 6 per cent privilege.

Most respectfully yours,

OSCAR ANDERSON,
76 Bell Street, Dayton, Ohio.

NATIONAL MILITARY HOME, KANS., *December 15, 1930.*

Hon. T. H. CARAWAY,
United States Senator, United States Senate,
Washington, D. C.

MY DEAR SENATOR CARAWAY: May I urge you to use your influence in whatever way you can in order that an early passage of bill H. R. 3493 may be approved?

There are many of us who must borrow yearly on our certificates with no hopes of ever being able to pay back the loans. Therefore, the interest is gradually cutting down the previous value of our certificates. It would be a great help to the majority of us if we could receive the value of our certificates in full that we might receive enough at one time to make it possible to establish ourselves in some line of endeavor that would afford us a fair chance of support and independence.

Respectfully yours,

SAMUEL D. MCGOWAN,
National Military Home, Kans., Barrack 14.

NEW YORK, *December 9, 1930.*

Hon. Senator CARAWAY,
United States Congress, Washington, D. C.

DEAR SIR: Our organization, composed of 750 veterans of the various United States wars and expeditions, have at a regular meeting, held at our headquarters in New York City December 5, 1930, gone on record by unanimous vote for the immediate cash payment of the adjusted-compensation certificates to all veterans.

Knowing from your record in Congress that you have always been a loyal supporter of any measure which would help the veterans, we are forwarding this letter to you, knowing that you will do all in your power to see that this bill is passed at the present session of Congress.

Being daily in contact with thousands of unemployed veterans and their families, I can assure you that there is more actual suffering and misery among these veterans than they ever experienced in France.

These veterans need aid now, not in two or three months from now, and no finer aid could be given them than the immediate cash payment of the adjusted-compensation certificates.

You can be sure that every member of this organization is behind you in your fight for justice to these veterans.

With best wishes for your success in this fight, we remain,

Respectfully yours,

FEDERATED AMERICAN WAR VETERANS,
J. J. MCCORMACK, *Post Commander.*

CHICAGO, ILL., *December 9, 1930.*

Hon. Senator CARAWAY.

DEAR SIR: May I request the Senator's attention to the plea of a soldier? Senator CARAWAY, I take this step in behalf of my comrades as well as myself. May I ask you to use your influence for our cause? Dear Senator, we are all desperately in need of immediate cash bonuses. Our families are starving and ragged, and I am safe in saying that 90 per cent of the unemployed are ex-service men. We tramped the streets day after day, only to

find no job; to come home and meet a hopeful wife and tell her still no job. After reading where President Hoover was going to give in his message to Congress a plea for the immediate payment of the soldier bonus in cash, then we read where Secretary Mellon said it would drain the Treasury to pay it out. Senator CARAWAY, it's hard to read such a statement, after remembering what we offered for this country. After spending two years in a foreign country, eating rotten, sour slum, being eaten alive with lice, going 48 hours without a wink of sleep in a drive, standing in mud up to your waistline, constantly watching and listening in No Man's Land, then read where several billion dollars are appropriated for prohibition to finish demoralizing the country and the people we offered our lives for, may I ask which has done more for the people and the Constitution, the World War veterans or prohibition?

Hoping, dear Senator, you will consider and realize the public is no longer with us and help us with our cause for immediate cash bonus, I will close.

Wishing you a very happy Christmas and new year, I am,

Respectfully, a soldier,

EDWIN L. FREDRICKSON,
6618 Parnell Street, Chicago, Ill.

THE COMBINED VETERANS' ORGANIZATIONS AND THEIR AUXILIARIES OF WEST PHILADELPHIA,
December 8, 1930.

Hon. THADDEUS H. CARAWAY, M. C.,
Washington, D. C.

DEAR SIR: We are very pleased to learn of your interest regarding soldiers' World War bonus certificates and would like to have a copy of the bill submitted to Congress by you last week.

We wish you much success in this matter and assure you that the cashing of our certificates now would be a godsend to many unemployed veterans and to many others, like myself, who can barely carry their homes and keep a family in modern decency.

Again wishing you much success, I am, fraternally yours,

PAUL C. BURKHOLDER, *Secretary.*

ALEXANDRIA, LA., *December 6, 1930.*

United States Senator CARAWAY,
Senate Office Building, Washington, D. C.:

The local post of Veterans of Foreign Wars congratulates you on your introduction of bill for immediate payment of soldier bonus certificates. Hope your efforts are successful in the interest of all veterans.

JOHNSON BROWN POST, 1736.
SAMUEL HAAS, *Commander.*

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900 BIRCH STREET,
North Bergen, N. J., December 10, 1930.

HONORABLE SIR: I trust you will pardon the liberty I am taking in writing you, but I desire to express my sentiments on the subject of the bill you have introduced to pay the adjusted compensation immediately.

The inclosed veterans' note and field-service receipt will serve to prove that a number of veterans, including myself, paid our own Government 7 per cent for money we were obliged to borrow on our certificates.

About the same time, or on March 8, 1929, I was also forced to borrow on an endowment policy I held with the Prudential Insurance Co., but I suppose that because they were a private insurance company I was allowed to borrow $200 at 5 per cent.

Form 2251A of the United States Civil Service Commission at Washington, D. C., issued to applicants who have taken examinations, in addition to the act of Congress approved July 11, 1919, also states: "An Executive order issued by the President on March 3, 1923, provides for the following (article 2): Honorably discharged soldiers, sailors, and marines, and widows of such, and wives of injured soldiers, sailors, and marines who themselves are not qualified but whose wives are qualified for appointment, shall have 5 points added to their earned ratings in examinations for entrance to the classified service."

Being familiar with the manner in which the act of Congress was complied with (see letter of March 17, 1930, which didn't mean a thing because I was registered as a Democrat last year), I can assume how the rest of the provisions contained on this form are complied with.

After these papers have served your purpose I would respectfully suggest that you refer them to either of the Senators from New Jersey for attention.

Hoping that your deserving bill will become a law within the very near future to prevent other veterans not quite as fortunate as I from paying 7 per cent interest on their loans.

I remain, yours very truly,

BERNARD J. WILSON.

FIELD SERVICE RECEIPT

[United States Veterans' Bureau, Finance Service, Form 1023—Revised February, 1930. (L-Series) L-38691]

NEW YORK, N. Y., *June 20, 1930.*

Receipt is hereby acknowledged of the amount stated below:
Regional office, 6; hospital No. ———.
Name and identification number of beneficiary: A-1406439.
Amount: $94.23.
Description of remittance: Check—Bergenline Trust Co., Union City, N. J.
Reason for remittance: Final payment on loan with interest.
Remittance to be applied to: Appropriation, USGLIF; disbursing office voucher No. 81301; symbol No. 99138; General Accounting Office settlement No. ———; date of payment of voucher, January 26, 1929.
Bernard J. Wilson, 900 Birch Street, North Bergen, N. J.

DON ILER,
S. D. A., Receiving Officer.

VETERAN'S NOTE

[United States Veterans' Bureau—Form 1185]

225 WEST THIRTY-FOURTH STREET,
New York, N. Y., January 21, 1929.

$86.

One year after date of check issued by the Veterans' Bureau in consideration of this note, I promise to pay to the order of the Director, United States Veterans' Bureau, at the place named above, $86 for value received, with interest after date of such check at the rate fixed by law until paid. If the principal and interest of this note are not paid at its maturity, I agree to the automatic extension of the note from year to year for periods of one year in the amount of the principal plus interest to the end of the immediately preceding expired loan year, which total amount shall automatically become a new principal each year, and shall bear interest at the rate fixed by law until paid.

As collateral security for the payment of the obligation herein assumed by me I have delivered to and do hereby pledge with the holder of this note my adjusted-service certificate No. 882667, dated January, 1925, further identified by No. A-1406439. If there is any part of the obligation herein assumed, whether principal or interest, unpaid at the date fixed for the maturity of said certificate, or at the date of death of the maker of this note should he die before the date fixed for the maturity of said certificate, the amount of such indebtedness shall be deducted from the amount otherwise due the beneficiary under said certificate and the amount so deducted shall be paid to the holder of this note.

BERNARD J. WILSON.

Name of veteran: Bernard J. Wilson.
Street address or route number: 900 Birch Street.
City or town and State: North Bergen, N. J.
Paid June 20, 1930.

CERTIFICATE OF IDENTIFICATION

(NOTE.—Certificate should be executed by the postmaster of the community in which the veteran lives, or by an officer, over his official title, of a post, chapter, or other comparable unit of an organization recognized under sec. 500 of the World War veterans' act, or an officer, over his official title, of the State or national body of such organization, or a notary public.)

JANUARY 21, 1929.

STATE OF NEW YORK,
County of New York:

I, Harry Bochert, do hereby certify that I am liaison representative New York State Department, Veterans of Foreign Wars of the United States, and that the person applying for loan evidenced by the above note is known to be the veteran named in the adjusted-service certificate referred to therein and that the signature on the above note is the signature of such veteran.

HARRY BOCHERT.

(If the person certifying is a notary, the above certificate must bear the notarial seal; if a postmaster, an impression of the cancellation stamp of the postal station should be made on the above certificate.)

Paid by check No. 81301, dated January 26, 1929, for $86.
Issued by Don Iler, special disbursing agent. Symbol No. 99139.

DEPARTMENT OF COMMERCE,
BUREAU OF THE CENSUS,
Washington, March 17, 1930.

Hon. E. HART FENN,
House of Representatives, Washington, D. C.

MY DEAR MR. FENN: Receipt is acknowledged of your communication of March 7, inclosing a letter from Mr. B. J. Wilson, 900 Birch Street, North Bergen, N. J., an applicant for the position of enumerator. We find that the application and test schedule filled out by Mr. Wilson were satisfactory and were forwarded to the supervisor for his district on February 21.

Very truly yours,

JOSEPH A. HILL,
Acting Director.

SULPHUR, OKLA., *January 5, 1931.*

Hon. Senator CARAWAY.

DEAR SIR: I am writing you asking you, which I know you are, for your support and influence for the immediate pay of the adjusted-compensation certificates. There were in Ardmore, Okla., Christmas Day, 48 families, with 110 children, of ex-service men on the mercy of charity according to the Ardmorite.

Will say as to this country every person is in favor of the immediate pay of these certificates. I have been asked by more ex-service men to-day to write you in regard to this bill.

Sincerely,

JAMES M. BARRY,
600 West Tenth Street, Sulphur, Okla.

JANUARY 6, 1931.

Senator CARAWAY.

DEAR SIR: I am writing you, saying the same as every ex-service man that has to work for a living and stand the expense of raising a family. I would like to see a bill passed at an early date to pay the ex-soldiers of the World War the adjusted compensation. I am, with a lot of others, in need of money to help send our children through school and help in getting into some kind of business that would help in later days.

I would like to hear from you.

BARNEY REEVES,
15 East Minneapolis Avenue, Vincennes, Ind.

KANSAS CITY, MO., *January 5, 1931.*

DEAR SIR: I read an article in the paper where you and several more are trying to get some money on our compensation certificates for us. Oh, how glad I would be if I could sell mine for one-third of its value. As bad as I need money, I would be more than glad to sell mine for one-third of its value. I soldiered in France and I have soldiered on the borders of Mexico. I do hope the way times are now that you folks help us World War veterans. If there is any way that I could sell my certificate for one-third, I would love to, for I sure am having a hard time.

Yours truly,

RAY DAWSON,
1511 Cottage Avenue, Kansas City, Mo.

My serial number in the World War was 228736.

JANUARY 6, 1931.

Mr. MIKE J. SOKOLL,
Rogers, Ark.

DEAR SIR AND FRIEND: I thank you for your letter. I introduced the bill and I am doing everything I can to pass it. The administration, however, opposes it. What will be the results I can not tell, but I will do my best.

With best wishes, I am, sincerely yours,

———.

ROGERS, ARK., *January 1, 1931.*

Hon. T. H. CARAWAY,
Washington, D. C.

DEAR SIR: I am writing to you this letter in regard to the adjusted-service certificate, and I am hoping that it will be paid off soon, as I am in great need of it at this time. I am out of work, and if it was paid off, I am sure that it would enable me to at least not go hungry. I have served my country for it and I feel that it belongs to me. The conditions here are very bad at this time, as what money we have in the country is tied up and it is impossible to get anything to do. Please do all in your power to pass this bill, as it will be a godsend to all the ex-service men. We have a number of sick men here that are up against it and are going hungry, and will be in a serious condition unless it is paid off. These men have given all for their country, and it is a shame to see them in this condition. We who went to face the fire of the Hun have it coming to us, and it is ours. We went through a living hell to get the war over with and went into it to win. We have won that battle and the promises of our country to help us. Now it is up to them to make their word good. We are asking only for what is ours. Please do the very best to help us get it through.

Yours for success.

MIKE J. SOKOLL.

Mr. VANDENBERG. In view of the fact that the chairman of the Committee on Finance has announced hearings commencing Monday on the question of the adjusted-service compensation certificates and various methods of handling them, I ask unanimous consent out of order to introduce a bill providing for and expanding the loan value and reducing the loan rate of interest upon those certificates. I ask that the bill be referred to the Committee on Finance.

The bill (S. 5811) to provide for making emergency loans to veterans upon their adjusted-service certificates was read twice by its title and referred to the Committee on Finance.

RELIEF TO FARMERS IN FLOOD AND/OR DROUGHT-STRICKEN AREAS

Mr. SMITH. Mr. President, I ask unanimous consent for the immediate consideration of a joint resolution that was reported unanimously on yesterday by the Committee on Agriculture and Forestry. It is a matter of very urgent importance to the four States named in the joint resolution. They are the States of Florida, Georgia, North and South Carolina, which, under the ruling of the Secretary of Agriculture, can not participate in the relief afforded under the drought measures.

This joint resolution simply seeks to reappropriate the amount of money that these States paid from the funds loaned them in 1930, so that they may be able to carry on. Their banks have failed; their credit is almost entirely exhausted; and this measure is simply carrying out the principles involved in an identical loan made to Porto Rico, except that in the case of Porto Rico we made it a revolving fund. Under this measure each State will have the benefit for five years of a credit of the amount paid in, to reestablish itself after suffering from the effects of the disaster that prostrated these four States.

The joint resolution has been unanimously reported from the committee, and I hope the Senate will pass it without delay.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution (S. J. Res. 234) making applicable for the year 1931 the provisions of the act of Congress approved March 3, 1930, for relief to farmers in the flood and/or drought stricken areas, which was read, as follows:

Resolved, etc., That the act of Congress entitled "Joint resolution for the relief of farmers in the storm and/or drought stricken areas of Alabama, Florida, Georgia, North Carolina, South Carolina, Virginia, Ohio, Oklahoma, Indiana, Illinois, Minnesota, North Dakota, Montana, New Mexico, and Missouri," approved March 3, 1930, and fully set out in United States Statutes at Large, Seventy-first Congress, second session, volume 46, chapter 68, be, and the same is hereby, reenacted and made applicable to the crop year of 1931, with this limitation, that only the funds collected from the loans of 1930 in the States of North Carolina, South Carolina, Georgia, and Florida made under said act be available for the crop year of 1931; that said funds so collected be, and they are hereby, authorized to be appropriated and made available for the purpose of carrying out this resolution for the crop year of 1931 in the States of North Carolina, South Carolina, Georgia, and Florida.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

SENATOR FROM VIRGINIA

Mr. SWANSON. Mr. President, I have the certificate of election of my colleague [Mr. GLASS] for a term of six years, beginning the 4th of next March. I ask that the certificate may be filed in the records of the Senate.

The PRESIDENT pro tempore. Under the rule, it is necessary to read credentials of Senators elect. The clerk will read the credentials of the Senator elect from Virginia which have been presented by his colleague.

The legislative clerk read as follows:

COMMONWEALTH OF VIRGINIA.

This is to certify that, at a meeting of the board of State canvassers, held at the office of the secretary of the Commonwealth, the fourth Monday in November, 1930, on an examination of the official abstract of votes on file in that office it was ascertained and determined that at the general election held on the first Tuesday after the first Monday in November, 1930, for United States Senator, CARTER GLASS was duly elected United States Senator from Virginia for the term prescribed by law.

Given under my hand and seal of office at Richmond this 24th day of November, 1930.

[SEAL.]

PETER SAUNDERS,
Secretary of the Commonwealth.

The PRESIDENT pro tempore. The certificate will be placed on the files of the Senate.

INTERIOR DEPARTMENT APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent request submitted by the Senator from Oklahoma [Mr. THOMAS]?

Mr. SMOOT. Mr. President, what is the request?

The PRESIDENT pro tempore. That the two amendments proposed by the Senator from Oklahoma shall be considered together and voted upon in a single vote. Is there objection? The Chair hears none, and it is so ordered. That having been granted, it will be necessary to reconsider the vote whereby the amendment on page 60, line 6, was agreed to. Without objection, reconsideration of that vote is agreed to. The question is upon agreeing to the amendments proposed by the Senator from Oklahoma [Mr. THOMAS]. The Senator from North Dakota [Mr. FRAZIER] is recognized.

Mr. SMOOT. Mr. President, will the Senator from North Dakota yield?

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Utah?

Mr. FRAZIER. I yield.

Mr. SMOOT. I did not clearly understand the request.

The PRESIDENT pro tempore. The Senator from Oklahoma [Mr. THOMAS] asked unanimous consent that the two amendments submitted by him should be considered together and disposed of by a single vote. The unanimous consent was granted. That being the case, it is necessary to recur to page 60 and reconsider the vote by which the amendment on that page, in line 6, was agreed to.

Mr. SMOOT. Mr. President, when I made no objection to granting that unanimous-consent agreement I did not understand that it referred to the provision the Chair just stated it did. However, I suppose it will make no difference.

The PRESIDENT pro tempore. The Chair will state that the parliamentary situation is absolutely unchanged.

Mr. SMOOT. That is what I was about to suggest.

Mr. SMITH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from South Carolina?

Mr. FRAZIER. I yield.

Mr. SMITH. Mr. President, I ask the Senator from North Dakota to yield to me because there is a matter which is of very great importance to my section of the country; and as time is the essence of the matter, if the Senator will yield to me for that purpose, I should like to make a statement.

Mr. SMOOT. The Senator from South Carolina does not desire any action on the matter to which he refers, does he?

Mr. SMITH. No; there is no action proposed.

Mr. SMOOT. Should any delay be occasioned, I desire to remind the Senator that $59,000,000 embraced in the pending bill will become available just as soon as the measure shall be signed by the President of the United States and will enable many people to be put to work.

Mr. SMITH. I understand that.

Mr. SMOOT. That is what we are trying to do.

The PRESIDENT pro tempore. The Chair will add that the Senator from North Dakota [Mr. FRAZIER] may not retain the floor while the Senator from South Carolina [Mr. SMITH] makes a speech. It will be necessary for the Senator from North Dakota again to be recognized.

Mr. FRAZIER. Very well; I will yield to the Senator from South Carolina.

The PRESIDENT pro tempore. In the meantime the Senator from South Carolina is recognized.

RELIEF OF COTTON GROWERS

Mr. SMITH. Mr. President, this Congress and the one preceding it have had their attention and their energies directed toward the terrible economic condition that exists in this country. All of us, and especially those who are Members of the Congress, have been trying to find a solution—if not a general solution, a solution at least of those difficulties in which they are more directly interested. A great responsibility rests on us. I thought that I had found a plan by which the distressed condition in which the cotton growers found themselves might be relieved. I submitted that proposition to the Senators who represent the cotton-growing States and also to the Representatives in Congress who represent those States. They indorsed the proposition. I asked certain members of the Federal Farm Board to meet us, and I submitted that plan in the presence of the Representatives and Senators to the members of that board. After three or four or five weeks I have received a letter this morning from Mr. Carl Williams, who is the head of the cotton division of the Federal Farm Board. After I shall have stated the plan that I have suggested I shall take occasion to read and to discuss some extracts from his letter.

Mr. President, my plan is this: As the price of cotton was from $25 to $30 a bale below the cost of production, as the consumption of cotton was decreasing and the probabilities were that there would be an unusually large carry-over of cotton on August 1, 1931, to add to the current crop of 1931, whatever that current crop might be, and as there was danger of cotton being even lower in the fall of the year 1931 than it now is, to remedy that situation the proposition was that the Federal Farm Board should buy at present prices five or six million bales of the present crop of cotton, which is right now being offered for sale on the exchanges throughout the country at anywhere from $25 to $30 a bale below the cost of production, and then sell it to the cotton producers on time, the grower agreeing not to plant any cotton on land owned or controlled by him during the year 1931. In other words, the board would take the surplus cotton at the current price, which is far below the cost of production, and sell it to the growers of cotton at the present price, with a contract from the growers that they will not duplicate in 1931 the already burdensome surplus that is now in existence. The grower could either obligate himself to purchase an amount equal to half of his crop or the whole of it.

The adoption of this plan would enable the cotton producer to devote his cotton lands and labor to the production of diversified food crops or to engage in raising cattle, hogs, chickens, and so forth. It would remove from the market the surplus cotton. The very object of the present farm marketing act was to take care of the surplus, which it is authorized under the law to do. Under this plan the Farm Board would purchase the surplus, resell it to the cotton producer, thereby giving to the producer a chance to make a profit on the amount so purchased, relieve him of the expense of reproducing his crop, relieve the market of a surplus of cotton, and give the farmer an opportunity of raising an abundant food crop or to raise cattle, hay, grain, and so forth.

If cotton can be purchased at from $20 to $30 a bale cheaper than the farmer can make it, and if the curtailment of production to the amount of five or six million bales would raise the price, it seems to me axiomatic and an economic fact that for the Farm Board to buy this cotton now and resell it to the farmer, who will contract not to duplicate it, would be of incalculable benefit to the cotton grower and would demonstrate the usefulness of the Farm Board in saving the situation. If the Farm Board would purchase the cotton now and sell it to the farmers on credit, the farmers to whom they sell it agreeing not to plant, then next fall, say, next December, the cotton would be sold; interest, insurance, storage, and purchase price would be deducted and whatever profit there was left would be given to the farmer. Of course, the cotton sold to the purchaser under these terms would be held by the board together with the farmers' notes and his contract not to plant.

If the law of supply and demand operates at all, such a plan would mean that cotton would probably double in price, the farmer would make a profit on the cotton already in existence, and would be in a position to carry on in 1932 with an abundance of foodstuffs. Furthermore, the Farm Board would have demonstrated its ability to relieve the situation. In a word, the surplus cotton, which is depressing the price now and is the vital element in the future price, would be taken off the market by the board, distributed amongst the producers, thereby relieving the board of the danger of cumulative surpluses, because they would redistribute it amongst the very ones who would produce another surplus in 1931, and under their contract not to plant they would get rid of the load of a surplus; the farmer would have made a crop in the warehouse and receive the benefit, without incurring the cost of production, thereby relieving both the farmer of the danger of a surplus and also giving him a profit on the surplus by virtue of his being induced not to duplicate it.

The board already have agents in the field asking the farmers to reduce acreage. The acreage reduction under any voluntary plan will at least be an estimate. The only incentive to reduce under the voluntary plan would be that a small crop in 1931 would bring more than a large crop. Let us contrast voluntary reduction with reduction under the plan I propose. If we ask the farmer to reduce 50 per cent, to make only a half crop in 1931, and he agrees, and the price goes up, he gets a profit only on half a crop. Under the plan I propose he is asked to reduce 50 per cent;

he does so, and it is then provided that the surplus of cotton which hangs like the sword of Damocles over the market shall be sold to him to the extent of 50 per cent out of the present surplus cotton. The cotton would be distributed, so we would not have this cumulative stuff, and if cotton should go up the farmer would get the increased price on what he produces, the half he produces, and also on the half the board holds in equity for him; so that he will have practically the same profit as though he had a full crop at the advanced price.

I have challenged the very best minds of the country to this plan and not one so far has found any kind of argument against it.

There is a surplus of wheat. If the Farm Board could have redistributed that wheat amongst the wheat producers according to the crop that each one made, emphasizing the fact that they would not sell any more wheat to a wheat producer than he produced the year previous, with a guaranty from him that he would not plant a seed, we would have gotten rid, as in that way we can now get rid, of the surplus wheat, and the farmer could make just as great profit, if not a greater one, as if he had produced the wheat.

To repeat, the acreage reduction under this voluntary plan will at best be an estimate. The only incentive to reduce under the voluntary plan would be that a very small crop in 1931 would bring more than a larger crop. Under this proposed plan the number of acres reduced would be known accurately, the number of bales actually eliminated will be known accurately, and the profits, if cotton should rise in price, would be known definitely. It is the opinion of those who have discussed this plan that the farm demonstration agents in every county in the cotton-growing States, together with such other agents as the board might employ, could have these contracts signed before planting time. It is to be definitely understood that the amount of cotton sold to any one producer shall not exceed the amount he made in 1930.

This plan has been before the Farm Board for nearly a month. It having not been adopted, I feel that the public at large should be given an opportunity to study it, and perhaps the cotton-growing States can take it up and agree with the bankers and loan associations in their several States and put it into operation.

Mr. President, I do not think I need to repeat or to emphasize the fact that the Farm Board have the facilities and the opportunity to do this thing. If they take this cotton off the market and hold it, the public at large know that that cotton is in existence and likely to be reproduced in 1931. They know, also, that the voluntary reduction in acreage for the last 25 or 30 years has proven very unsatisfactory, in fact, an absolute failure. Under this proposed plan, however, the board enters into a contract with the farmer under which, as a result of their having set aside for him as much cotton in 1931 as he made in 1930 at from $20 to $25 a bale less than he can make it, he will be the beneficiary of a cheap crop without producing a bale, thereby leaving his farm for him to diversify, which is one of the great doctrines and cries of the Farm Board and of all economists. This gives him an opportunity to do it.

One of the objections brought to my attention—and I propose to read the letter of the cotton man, Mr. Williams—is that it would take from $200,000,000 to $250,000,000 to purchase this amount of cotton. What would $250,000,000 mean, if by the expenditure of it—which would all come back, because it would be spent in the purchase of cotton and along the line of absolute, guaranteed reduction—if, when they bought the 5,000,000 bales of cotton and paid $250,000,000 for it, either by direct purchase or by secondary financing, cotton should advance, by virtue of the surplus being eliminated and the crop reduced to something like seven or eight million bales, to 15 or 20 cents a pound? The board would then have every dollar back, the South would be relieved of the burden that is now crushing it, and the board would have indicated its power to do a practical thing.

Mr. President, I have submitted this plan to some of the best bankers of this country. I have submitted this plan to my colleagues from the cotton-growing States—to both the Senators and the Congressmen—and I have been very much gratified to have the unqualified indorsement of everyone who has heard the plan. Not only does it absorb the surplus for the benefit of those who unfortunately have produced it, but it gives the grower a year's respite in which to produce foodstuffs, both animal and grain.

I want to read the letter of Mr. Williams in reply and submit it to the public to judge as to whether or not there is a serious attempt on the part of the board to solve the problem that is impoverishing my section and is impoverishing the wheat section.

I received this letter just this morning. I want to say before I start reading the letter that I hope the legislatures that are now in session in the cotton-growing States will take up this plan and agree with the loan associations and the banking interests in those States, and if by any organization of farmers they can get into a position where under the law they would be exempt from the operation of the Sherman antitrust law and the Clayton Act, I hope they will lend their assistance to this plant to relieve the grower by buying his stuff now at from 4 to 5 cents a pound less than he can produce it.

Now I want you to hear Mr. Williams's letter:

JANUARY 20, 1931.

DEAR SENATOR: Some little time ago you suggested verbally to me and other members of the Federal Farm Board that the board immediately purchase 4,000,000 bales of cotton for farmer account, contingent upon these farmers reducing their cotton acreage in 1931. You suggested that the board should quietly purchase a large volume of contracts on the futures market—

That is a mistake. I did not suggest that at all. I suggested, in the presence of the Congressmen and Senators, the purchase of at least 4,000,000 bales. I said nothing about the board or the future market—

at or around present price; and that the board should enter into definite contracts with individual cotton farmers and planters, in which the grower would definitely pledge to reduce acreage by a specified amount, and in which the board would agree to carry for and sell to the grower at cost plus carrying charges, next October, as many bales of cotton as would properly be represented by the grower's actual reduction in acreage.

You suggested that no contract would be valid or binding either on the board or the grower unless contracts totaling at least 4,000,000 bales are signed. You urged that a drastic acreage reduction this spring is necessary; that it is cheaper to buy cotton at present price than to attempt to grow it; that farmers will not reduce acreage voluntarily; that the board can secure an acreage reduction only by making it financially profitable for farmers to reduce—

I think he need not have put in that sentence "to make it financially profitable." I do not think any of them are growing cotton or wheat for the fun of growing it—

that a reduction of 4,000,000 bales in next year's production would inevitably raise the price of cotton; that these higher prices would logically benefit all growers as well as the cooperatives and the cotton stabilization corporation; and that the land thus taken out of cotton would be planted to food and feed and thus reduce the amount of these products which southern farmers normally buy.

This suggested project has been given detailed study by the members of the Federal Farm Board and its staff. The objectives suggested by you are in complete harmony with the desires of every member of the board. At first glance the project seems simplicity itself—the board merely buys 4,000,000 bales of cotton and contracts to sell them to farmers. The more we have studied the matter, however, the more difficult it has been for us to develop any practical plan whereby the project might be successfully carried through.

Now he goes into the foreign world:

Cotton supplies of the world are to-day far outrunning demand.

That is the one reason why I introduced this plan. I want you to keep that in mind.

The 1930 world cotton crop was probably about 26,500,000 bales. The world carry-over was 11,185,000 bales. The total of crop and carry-over, 37,686,000 bales, is the largest world supply on record.

Of course, I am reading Mr. Williams's figures. I have not had time to check them up. I do not know whether he is exactly accurate or not.

World consumption, especially of American cotton, is running at a very low rate. Consumption of all cotton in 1928–29 was 25,824,000 bales, and in 1929–30 was 24,718,000 bales. At present it does not appear that world consumption in 1930–31 will be more than 22,000,000 bales. If this estimate is correct, the

world carry-over next August will be more than 15,600,000 bales, which amount may be compared with the previous record carry-over of 14,269,000 bales in August, 1921.

The production of foreign cotton is now more than 12,000,000 bales annually and is steadily increasing. It is rapidly increasing in Russia, formerly a large importer of American cotton but now and henceforth an export competitor to American cotton. We have no control over either acreage or production in foreign countries, yet because 55 per cent or more of the American crop is exported our cotton, quality for quality, is necessarily on a world price basis. This world price basis, in view of the tremendously large world crop and carry-over, could readily be lower next fall than any possible price at which the Federal Farm Board could buy its 4,000,000 bales this winter.

Now, Mr. President, notice: After assembling all these figures to show what is inevitable according to the statistics he has, and adding to them a normal crop in 1931, he predicts that possibly cotton will be lower in the fall of 1931 than in the fall of 1930. That seems logical. My plan is to start now, and make the crop of 1931 impossible.

Mr. SMOOT. Will 4,000,000 bales do it?

Mr. SMITH. Four million bales will take it out; it will not be there; and if we will add to it the enforced reduction which is inevitable by virtue of inability of the farmer to get fertilizer and to hire and to pay for hands, plus this contract reduction, we may have a revival of the price of cotton, and some prosperity in the South. But the plan is impracticable because they can not buy the cotton when it is being sold by the hundreds of thousands of bales every day at from $20 to $25 a bale less than the cost of production.

Now I will read on, because there are some very, very extremely startling statements here:

It would not be possible for us to obtain any considerable quantity of this cotton on the futures market without the operation becoming known. It would not be possible to accumulate 4,000,000 bales of spots quietly at all. Assuming that the operation would have to be completed during the winter months, it is our matured opinion that the average price at which either futures contracts or spots in that volume can be secured would not be less than 13 cents a pound.

If this cotton were then carried until next October, another cent a pound would be added, making a total of 14 cents.

It costs 17 to 18 cents a pound to make it. Even at that, the price will be well below anything like a figure that would yield a profit to the farmer. I read on:

It is not our belief that southern farmers would be willing to accept contracts calling for cotton at 14 cents, nor indeed at anywhere near that price.

The idea of assuming that the cotton grower is stupid enough not to sign a contract to purchase his cotton at 14 cents a pound, when he knows that it will cost him from 17 to 18 cents a pound to make it. It is just pure assumption on his part that cotton can be made at any such ridiculous figure. I might say here that practically every grower to whom I have mentioned this has given his indorsement.

We are further advised by counsel that if contracts were accepted by farmers at that or any other price no contracts could be written under present law that would actually be binding upon farmers.

I will not even comment on that. We had that question up before the committee, and it was so ridiculous that we did not see fit to consider it.

The result in either case might readily be a tremendous investment by the Farm Board in cotton, and no place to put the cotton.

In serious reply to what was indorsed by Members of both House and the Senate, he assumes that the cotton farmer would not invest in this plan, and that therefore they would have the cotton on their hands.

That investment in itself would be much larger than our total free funds. The cotton would have to be actually acquired by the board and paid for.

Of course, any man in the cotton business, any man in any business knows that they can put up a certain percentage of the value of their products and hypothecate the paper and get the banks to carry the balance. There is no manufacturer or farmer or business man who does not do that identical thing.

The cotton would have to be actually acquired by the board and paid for, and even at 12 cents a pound, which is less than we believe so large a quantity so quickly acquired would cost, the investment would be $240,000,000.

Next, we are forced to consider the extensive supervisory and regulatory machinery, both Federal and State, not now organized, which would be required to determine the acreage reduction of each farmer.

Mr. President, there are certain paragraphs I shall not read. I shall ask to have the whole letter printed in full, so that those who read the RECORD may know just what he has said. I shall just touch those paragraphs which need comment.

Mr. Williams says:

In certain instances at least any increase in the world price, which might accompany these rapid operations, would benefit foreign producers more than those in this country. Fully 75 per cent of the cotton of India is still in the hands of producers for sale, while 20 per cent or less of the cotton in America is still in the hands of the grower. The certain effect of an increased world price at this period of the year would be to particularly benefit the cotton grower of India and encourage him to plant an increased acreage.

Mark you, Mr. President, he says any rise in the price would stimulate production abroad, and cause the farmer to reduce his acreage and decrease the supply in order that he might produce foodstuffs at a better price.

It is clear to us also that so long as the Farm Board was buying this cotton in tremendous quantities prices would automatically go up. It is equally clear that the moment the board stopped buying prices would slump again. During this process American cotton consumption would greatly decline, because goods buyers would hold off, waiting for the break. Exports would decline for the same reason, and both domestic and foreign consumers would find their business demoralized by an artificial disparity between American and foreign prices. The result would most certainly be a substantial addition to a carry-over which is already certain to be the second largest in the history of American cotton.

The very thing I am trying to get rid of he is putting up objections to.

Listen to this, and with this I am going to stop commenting on this letter, and content myself with printing it:

In view of depressed business conditions and consequent underconsumption throughout the world, and in view of the tremendous crop and carry-over of world cotton, the board is by no means certain that, even with a reduction of 4,000,000 bales in production of American cotton next year, the world price—which is the price at which American cotton is sold—would be as high or higher than the price at which 4,000,000 bales could now be quickly acquired.

In other words, he states that the board are not justified in pegging the price of American cotton above the world price, while they are engaged right now in an attempt to peg the price of wheat above the world price and congratulating themselves that they have it 20 cents a bushel higher than the world price, buying it by the hundred million bushels.

Mr. President, I shall enter into no personal criticism. I shall make no disparaging remarks about the board at this time; but I propose to join with any of the other Senators, at the proper time, to investigate thoroughly just what has been accomplished for the good of the farmer, and what plans they propose to put into practical effect to relieve the disastrous situation now prevailing, a condition which seems to have become steadily worse, in spite of the creation of the board by Congress, which creation was with the best of intentions on the part of Members of the Congress, and yet the price of wheat and the price of cotton and of other farm products have declined to such a point that the very Government of the United States is being menaced to-day because of the dissatisfaction at those who feed and who clothe our citizens.

At another time I propose to go more fully into this matter, and give to my constituents and my colleagues here the benefit of certain other facts which I shall be glad to submit.

I ask that the letter to which I have referred be printed in the RECORD in full.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JANUARY 20, 1931.

Hon. ELLISON D. SMITH,
United States Senate.

DEAR SENATOR: Some little time ago you suggested verbally to me and other members of the Federal Farm Board that the board

immediately purchase 4,000,000 bales of cotton for farmer account, contingent upon these farmers reducing their cotton acreage in 1931. You suggested that the board should quietly purchase a large volume of contracts on futures market at or around present price; and that the board should enter into definite contracts with individual farmers and planters, in which the grower would definitely pledge to reduce acreage by a specified amount, and in which the board would agree to carry for and sell to the grower at cost plus carrying charges, next October, as many bales of cotton as would properly be represented by the grower's actual reduction in acreage.

You suggested that no contract would be valid or binding either on the board or the grower unless contracts totalling at least 4,000,000 bales are signed. You urged that drastic acreage reduction this spring is necessary; that it is cheaper to buy cotton at present prices than to attempt to grow it; that farmers will not reduce acreage voluntarily; that the board can secure an acreage reduction only by making it financially profitable for farmers to reduce; that a reduction of 4,000,000 bales in next year's production would inevitably raise the price of cotton; that these higher prices would logically benefit all growers as well as the cooperatives and the Cotton Stabilization Corporation; and that the land thus taken out of cotton would be planted to food and feed and thus reduce the amount of these products which Southern farmers normally buy.

This suggested project has been given detailed study by the members of the Federal Farm Board and its staff. The objectives suggested by you are in complete harmony with the desires of every member of the board. At first glance the project seems simplicity itself—the board merely buys 4,000,000 bales of cotton and contracts to sell them to farmers. The more we have studied the matter, however, the more difficult it has been for us to develop any practical plan whereby the project might be successfully carried through.

Cotton supplies of the world are to-day far outrunning demand. The 1930 world cotton crop was probably about 26,500,000 bales. The world carry-over was 11,185,000 bales. The total of crop and carry-over, 37,686,000 bales, is the largest world supply on record. World consumption, especially of American cotton, is running at a very low rate. Consumption of all cotton in 1928–29 was 25,824,000 bales and in 1929–30 was 24,718,000 bales. At present it does not appear that world consumption in 1930–31 will be more than 22,000,000 bales. If this estimate is correct, the world carry-over next August will be more than 15,600,000 bales, which amount may be compared with the previous record carry-over of 14,269,000 bales in August, 1921.

The production of foreign cotton is now more than 12,000,000 bales annually and is steadily increasing. It is rapidly increasing in Russia, formerly a large importer of American cotton but now and henceforth an export competitor to American cotton. We have no control over either acreage or production in foreign countries, yet because 55 per cent or more of the American crop is exported our cotton, quality for quality, is necessarily on a world-price basis. This world-price basis, in view of the tremendously large world crop and carry-over, could readily be lower next fall than any possible price at which the Federal Farm Board could buy its 4,000,000 bales this winter

It would not be possible for us to obtain any considerable quantity of this cotton on the futures market without the operation becoming known. It would not be possible to accumulate 4,000,000 bales of spots quietly at all. Assuming that the operation would have to be completed during the winter months, it is our matured opinion that the average price at which either futures contracts or spots in that volume can be secured would not be less than 13 cents a pound. If this cotton were then carried until next October, another cent a pound would be added, making a total of 14 cents.

It is not our belief that southern farmers would be willing to accept contracts calling for cotton at 14 cents nor indeed at anywhere near that price. We are further advised by counsel that if contracts were accepted by farmers at that or any other price, no contracts could be written under present law which would actually be binding upon farmers.

The result in either case might readily be a tremendous investment by the Federal Farm Board in cotton and no place to put the cotton. That investment in itself would be much larger than our total free funds. The cotton would have to be actually acquired by the board and paid for; and even at 12 cents a pound, which is less than we believe so large a quantity so quickly acquired would cost, the investment would be $240,000,000.

Next, we are forced to consider the extensive supervisory and regulatory machinery, both Federal and State, not now organized, which would be required to determine the acreage reduction of each farmer, the number of bales he is entitled to buy, and his final compliance with the terms of his contract.

We further face the fact that a reduction in acreage comparable to a normal 4,000,000-bale crop would not mean such a reduction at all. Those who curtail would inevitably do so on their poorer lands. Those who did not accept Farm Board contracts would inevitably plant more cotton than usual, hoping to get the benefit of some increased price to be brought about by the other fellow's curtailment.

Further, we are forced to consider the effect of a sudden rise in price—first, on the consumption of cotton; and second, on foreign production. Sudden and heavy purchases of American cotton would unquestionably throw the American price out of line with the world price, with the necessary result of tremendously increasing foreign consumption of foreign growths this season and tremendously decreasing foreign consumption of American growths, thus adding to the American surplus.

In certain instances, at least, any increase in the world price which might accompany these rapid operations would benefit foreign producers more than those in this country. Fully 75 per cent of the cotton of India is still in the hands of producers for sale, while 20 per cent or less of the cotton in America is still in the hands of the grower. The certain effect of an increased world price at this period of the year would be to particularly benefit the cotton grower of India and to encourage him to plant an increased acreage. Since the Egyptian Government has discontinued its former restriction policy the same result would be accomplished there. Increase in world production outside of the United States, in the light of present world crop and carry-over, would seriously endanger the success of the plan.

It is clear to us, also, that so long as the Farm Board was buying this cotton in tremendous quantities prices would automatically go up. It is equally clear that the moment the board stopped buying prices would slump again. During this process American cotton consumption would greatly decline, because goods buyers would hold off, waiting for the break. Exports would decline for the same reason, and both domestic and foreign consumers would find their business demoralized by an artificial disparity between American and foreign prices. The result would most certainly be a substantial addition to a carry-over which is already certain to be the second largest in the history of American cotton.

The board has necessarily considered also what would happen to its own operations if a great deal of cotton were purchased and it was then found that as many as 4,000,000 bales of farmer contracts could not be signed. What then would happen to the cotton already purchased? The board would have run the price up in buying it but would certainly run down the price if it tried to sell, with consequent substantial loss.

In view of depressed business conditions and consequent underconsumption throughout the world and in view of the tremendous crop and carry-over of world cotton, the board is by no means certain that, even with a reduction of 4,000,000 bales in production of American cotton next year, the world price—which is the price at which American cotton is sold—would be as high or higher than the price at which 4,000,000 bales could now be quickly acquired. There is no upturn in the business situation yet, and the outlook is by no means clear.

The board does not believe that farmers would take delivery on these contracts next October unless at that time they showed a profit. It is equally clear that the board would have no means of forcing the farmer to comply with his contract. In other words, the board and the Government assume all the risk, while the farmers assume none.

To all of these difficulties must be added the difficulty of the farmers themselves in suddenly trying to dispose of 4,000,000 bales of cotton on a market that at its best will be weak next fall.

With the situations as described above staring us in the face, I can only repeat that, in spite of our best efforts to do so, we have not yet been able to develop what seems to us to be any practical plan of carrying your suggestions into effect or to see any major probability that they would result in ultimate profit to the farmer.

We feel that for the present we must pin our faith to the continued development of cotton cooperative marketing, to such readjustment of acreage as farmers themselves are willing to do for their own good, to the use of every possible practical effort of an educational character to increase the production of food and feed on southern farms, and, finally, to the development of better methods of marketing for other southern crops, so that farmers may be encouraged to depend less on cotton for their cash.

Sincerely yours,

CARL WILLIAMS,
Member, Federal Farm Board.

SENATOR SMITH'S COTTON-ACREAGE-REDUCTION PLAN

Shortly after Congress convened I suggested to certain Senators and Congressmen from the cotton-growing States what I thought would relieve the situation so far as the terrible condition of cotton was concerned. I was so encouraged by their reception of it that I had Mr. Williams, of the Farm Board, who represents cotton on that board, and Mr. Stone, who represents tobacco, meet with certain Senators and Congressmen from the cotton-growing States. The plan was fully discussed, and my understanding was that the board would take it under advisement and decide what they would do in reference to it.

The plan was this: That as the price of cotton was $25 or $30 a bale below the cost of production, and as the consumption of cotton was decreasing and the probabilities were that there would be an unusually large carry-over of cotton on August 1, 1931, to add to the current crop of 1931, that there was danger of cotton being even lower than now. To remedy this situation the board was to buy five or six million bales of the present crop at the present price and resell this to the cotton growers on credit, the grower agreeing not to plant any cotton on land owned or controlled by him for the year 1931. The producer could either obligate himself to purchase half of his crop or the whole of it. This

would enable the cotton producer to devote his cotton lands and labor to the production of diversified food crops, cattle, hogs, and chicken raising. This would take from the market the surplus cotton. The very object of the present farm marketing act was to take care of the surplus, which it is authorized to do under the law. Now, under this plan the Farm Board would purchase the surplus, resell it to the cotton producers, thereby giving to the producer a chance to make a profit on this amount so purchased, relieve him of the expense of reproducing this amount, relieving the market of the surplus cotton, and giving him the opportunity of raising an abundant food crop in the form of cattle, grain, hay, etc. If the cotton can be purchased at from $20 to $30 per bale cheaper than he can make it, and if the curtailment of production to the amount of five or six million bales would raise the price, it seems an axiomatic economic fact that the Farm Board buying this cotton now and reselling it to the farmer who will contract not to duplicate it would be of incalculable profit to the cotton grower and would demonstrate the usefulness of the Farm Board and save the situation. In a word, if the Farm Board will purchase this cotton now and sell it to the farmers on credit, the farmers to whom they sell it agreeing not to plant, next fall—say, next December—this cotton would be sold, interest, insurance, storage, and purchase price deducted, and whatever profit there is will be given to the farmer. Of course, this cotton thus sold to the producer under these terms would be held by the board, together with the farmer's note and his contract not to plant.

If the law of supply and demand operates at all, it means that under this plan cotton would probably double its price; the farmer would probably make a profit on the cotton already in existence; he would be in a position to carry on in 1932 with an abundance of foodstuffs and the Farm Board would have demonstrated its ability to relieve the situation. In a word, the surplus cotton that is depressing the price now and is the vital element in the future price would be taken off the market by the board, distributed amongst the producers, thereby relieving the board of the danger of cumulative surpluses and giving the producers an opportunity of participating in the advance in price of the cotton thus distributed. The board already have agents in the field asking the farmers to reduce acreage. The acreage reduction under this voluntary plan will at best be an estimate. The only incentive to reduce under the voluntary plan would be that a very small crop in 1931 would bring more than a larger crop. Under this proposed plan the number of acres reduced would be known accurately; the number of bales actually eliminated would be known accurately and the profits, if cotton should rise in price, would be known definitely. It is the opinion of those who have discussed this plan that the farm demonstration agents in every county in the cotton-growing States, together with such other agents as the board might employ, could have these contracts signed before planting time. It is to be definitely understood that the amount of cotton sold to any one producer shall not exceed the amount he made in 1930.

This plan has been before the Farm Board for nearly a month: It having not been adopted I feel that the public at large should be given an opportunity to study it and perhaps the cotton-growing States can take it up and agree with the bankers and loan associations in their several States to put it into operation.

"THE FARMER'S WIFE"

Mr. NORBECK. Mr. President, I have a communication from Hon. T. E. Hayes, Ellingson, S. Dak., a member of the State legislature. He sent me one of his compositions, "The Farmer's Wife," the last two lines of which read as follows:

I always thought the farmer's wife a builder of our Nation;
Yet, when the census man comes 'round, he writes "No occupation."

I ask that the poem be printed in full in the RECORD.

There being no objection, the poem was ordered to be printed in the RECORD, and it is as follows:

THE FARMER'S WIFE

She rises bright and early—she must help out with the chores
Before the sun is shining on the windows and the doors.
Then breakfast must be ready quick, for children go to school,
And they must be made span and spic—that is the teacher's rule.
Then she must feed the chickens, also the cat and dogs,
And doesn't it beat the dickens, Pa forgot to slop the hogs.
Then wash up all the dishes, the cream separator, too,
And all the other little chores before the morning's through.
The bedrooms need attention, they must be kept clean and bright,
The beds all need an airing before the coming night.
Then she must get a dinner, for the men-folks want to eat,
And it must be a winner, so the men will have a treat.
Some days she does the washing, and some days she mops the floors,
For men-folks always track around when they come in the doors.
And she must mend and iron clothes for all the family—
No time to visit all around like city folks you see.
When supper is all ended, and the men can sit and read,
There are socks that must be mended or the holes will go to seed.
I always thought the farmer's wife a builder of our Nation,
Yet when the census man comes round he writes, "No occupation."

PLANNING OF GOVERNMENT CONSTRUCTION WORK

Mr. WAGNER. Mr. President——

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). Does the Senator from North Dakota yield to the Senator from New York?

Mr. WAGNER. Will the Senator yield long enough to permit me an opportunity to ask unanimous consent that the Senate now consider and pass Senate bill No. 5776, which I introduced the other day and asked to have lie on the table?

Mr. FRAZIER. I yield.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York?

Mr. McNARY. Mr. President, is it a bill or a resolution which the Senator asks to have considered?

Mr. WAGNER. It is a bill. Let me explain to the Senator, if I may, that this is one of the group of bills I have advocated which have for their object to aid in the prevention of unemployment. The bill under consideration provides for the systematizing and advance planning of public construction, and creates a planning board for that purpose. It passed the Senate once before in practically the same form without a dissenting vote. The House made some amendments. Upon my motion, the Senate disagreed to the House amendments, because the amendments really took the heart out of the bill. Thereafter a conference committee was appointed and met and restored practically all of the provisions which had been eliminated by the House; but some additional amendments were proposed by the administration, to which I agreed. The conference committee felt, however, that it was not within their power to report the bill with these additional amendments. For that reason I introduced this bill in its amended form as an original proposal, and it is that bill for which I am seeking now to secure favorable consideration of the Senate.

The bill writes into law the policy that the Government must prepare in times of prosperity to deal with conditions that arise in periods of depression.

It creates a permanent instrumentality of government to keep a continuous watch upon the rise or fall of business and employment.

We shall hereafter make use of the Government's building program as a balance wheel to help stabilize private employment by providing opportunities for employment on public construction when private demands for labor are slack.

Mr. McNARY. Will the able Senator advise the Senate whether the bill has been referred to a standing committee and reported by a committee?

Mr. WAGNER. It has not. The chairman of the conference committee [Mr. JOHNSON] is not now present, but the conference committee is agreeable to the bill. It is practically in the form in which it was when it passed the Senate in the first instance, except for the amendments suggested by the representatives of the administration. Those amendments do not disturb the object of the legislation. The bill as originally proposed did not provide a definite time for advanced planning; it provided for advanced planning, but left the time to the board. The amended bill fixes a time of six years.

Mr. McNARY. When the Senator spoke to me earlier in the day I assumed that his bill was on the calendar and had been reported by a standing committee of the Senate. I understand now that the bill has been referred to the committee, but there has been no action by the committee.

Mr. WAGNER. No; it has not been referred to a committee; and the reason for that was that it probably would have been in order to bring it in as a conference report. The conferees representing the Senate felt that it was within their power to report the amendment as part of the conference committee report. The House conferees were in doubt about it, and for that reason, rather than run the risk of a point of order being raised and sustained, it was suggested that I reintroduce the bill in its amended form.

I assure the Senator that the measure is practically as it was when it was originally passed by the Senate. It is one of the so-called unemployment bills, and has the approval not only of the Senate but, I am sure, of the House.

Mr. McNARY. I am in deep sympathy with the general purpose of the bill. It is only a matter of procedure and fairness to the chairman of the committee. I repeat that I thought the committee had reported it out favorably, and that the bill was on the calendar. Would it not be well for the Senator to delay action until he confers with the chairman of the committee with regard to the measure?

Mr. WAGNER. I can say that the chairman of the committee, the senior Senator from California [Mr. JOHNSON], is agreeable to this procedure. He is also chairman of the conference committee. I went over this whole matter with him, and he is agreeable to this procedure.

Mr. McNARY. In view of that statement, Mr. President, I shall not urge any objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 5776) to provide for the advance planning and regulated construction of public works, for the stabilization of industry, and for aiding in the prevention of unemployment during periods of business depression, which was read, as follows:

Be it enacted, etc., That this act may be cited as the "employment stabilization act of 1930."

DEFINITIONS

SEC. 2. When used in this act—

(a) The term "board" means the Federal Employment Stabilization Board established by section 3 of this act;

(b) The term "United States," when used in a geographical sense, includes the several States and Territories and the District of Columbia;

(c) The term "public works emergency appropriation" means an appropriation made in pursuance of supplemental estimates transmitted to the Congress under the provisions of this act.

(d) The term "construction agencies" shall mean the following departments, bureaus, and independent agencies and such others as the President may designate from time to time:

Of the Department of Agriculture, the Bureau of Public Roads, the Bureau of Plant Industry, the Forest Service, the Bureau of Dairy Industry, and the Bureau of Animal Industry;

Of the Department of Commerce, the Aeronautics Branch, the Coast and Geodetic Survey, the Bureau of Fisheries, and the Bureau of Lighthouses;

Of the Department of Interior, the Bureau of Indian Affairs, the Bureau of Reclamation, and the National Park Service;

Of the Department of the Treasury, the Coast Guard, the Public Health Service, and the Office of the Supervising Architect;

Of the Department of War, the office of the Quartermaster General, and the office of the Chief of Engineers;

Of the Department of Justice, the Bureau of Prisons;

Of the Department of the Navy, the Bureau of Yards and Docks;

The Department of Labor;

The Post Office Department;

Of the independent agencies, the Veterans' Administration, the Office of Public Buildings and Public Parks of the National Capital, the District of Columbia, the Architect of the Capitol, and the Panama Canal.

(e) The term "construction" shall include also repairs and alterations, and the purchase of such materials, supplies, and equipment as may be necessary as a part of, or incident to, such construction, repairs, or alterations.

(f) The term "authorized construction" shall include those projects which have been specifically authorized by Congress, and those projects which do not require specific legislative authorization, such as repairs and alterations.

FEDERAL EMPLOYMENT STABILIZATION BOARD

SEC. 3. (a) There is hereby established a board to be known as the Federal Employment Stabilization Board, and to be composed of the Secretary of the Treasury, the Secretary of Commerce, the Secretary of Agriculture, and the Secretary of Labor. It shall be the duty of the board to advise the President from time to time of the trend of employment and business activity and of the existence or approach of periods of business depression and unemployment in the United States or in any substantial portion thereof; to cooperate with the construction agencies in formulating methods of advance planning; to make progress reports; and to perform the other functions assigned to this act.

(b) The board is authorized to appoint, in accordance with the civil service laws, a director and such experts, and clerical and other assistants, and to make such expenditures (including expenditures for personal services and rent at the seat of Government and elsewhere, for law books, books of reference, and periodicals) as may be necessary for the administration of this act, and as may be provided for by the Congress from time to time. The compensation of the director and such experts and clerical and other assistants shall be fixed in accordance with the classification act of 1923, as amended. The director and his staff may be domiciled in and attached to one of the executive departments. There is hereby authorized to be appropriated annually such sum as may be necessary for the expenses of the board.

BASIS OF ACTION OF BOARD

SEC. 4. (a) In advising the President the board shall take into consideration the volume, based upon value, of contracts awarded for construction work in the United States, or in any substantial portion thereof, during any 3-month period in comparison with the corresponding 3-month period of three previous calendar years.

(b) The board may also take into consideration the index of employment prepared by the Department of Labor, and any other information concerning employment furnished the Department of Labor or by any other public or private agency, and any other facts which it may consider pertinent.

PUBLIC WORKS EMERGENCY APPROPRIATION

SEC. 5. Whenever, upon recommendation of the board, the President finds that there exists, or that within the six months next following there is likely to exist, in the United States or any substantial portion thereof, a period of business depression and unemployment, he is requested to transmit to the Congress by special message, at such time and from time to time thereafter, such supplemental estimates as he deems advisable for emergency appropriations, to be expended during such period upon authorized construction in order to aid in preventing unemployment and permit the Government to avail itself of the opportunity for speedy, efficient, and economical construction during any such period. Except as provided in this act, such supplemental estimates shall conform to the provisions of the Budget and Accounting Act, 1921.

WORKS ON WHICH APPROPRIATION USED

SEC. 6. Such emergency appropriations are authorized and shall be expended only—

(a) For carrying out the provisions of the Federal highway act, as now or hereafter amended and supplemented;

(b) For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore and hereafter authorized as may be most desirable in the interest of commerce and navigation;

(c) For prosecuting flood-control projects heretofore or hereafter authorized; and

(d) For carrying into effect the provisions of the public buildings act, approved May 25, 1926, as now or hereafter amended and supplemented, in respect of public buildings within and without the District of Columbia.

(e) For prosecuting such other construction as may now or hereafter be authorized by the Congress, and which is or may be included in the 6-year advance plans, as hereinafter provided.

ACCELERATION OF EMERGENCY CONSTRUCTION

SEC. 7. For the purpose of aiding in the prevention of unemployment during periods of business depression and of permitting the Government to avail itself of opportunity for speedy, efficient, and economical construction during such periods the President may direct the construction agencies to accelerate during such periods, to such extent as is deemed practicable, the prosecution of all authorized construction within their control.

ADVANCE PLANNING

SEC. 8. (a) It is hereby declared to be the policy of Congress to arrange the construction of public works so far as practicable in such manner as will assist in the stabilization of industry and employment through the proper timing of such construction, and that to further this object there shall be advance planning, including preparation of detailed construction plans, of public works by the construction agencies and the board.

(b) Each head of a department or independent establishment having jurisdiction over one or more construction agencies shall direct each such construction agency to prepare a 6-year advance plan with estimate showing projects allotted to each year. Such estimates shall show separately the estimated cost of land, the estimated cost of new construction, and the estimated annual cost of operation and of repairs and alterations.

(c) Each construction agency shall also prepare a program for prompt commencement and carrying out of an expanded program at any time. This program shall include organization plans. It shall also include the plans for the acquisition of sites and the preparation of advance detailed construction plans for not less than one year in advance, except where in the judgment of the board this would not be practicable.

(d) Such programs, plans, and estimates for the 6-year period shall be submitted to the board and to the Director of the Bureau of the Budget. The Director of the Bureau of the Budget shall report to the President from time to time consolidated plans and estimates.

(e) Each construction agency shall keep its 6-year plan up to date by an annual revision of the plans and estimates for the unexpired years and by annually extending the plan and estimates for an additional year.

(f) The President is requested each year, before recommending the amount of construction appropriations for the next fiscal year to take into consideration the volume of construction in the United States, the state of employment, and the activity of general business.

(g) The board shall collect information concerning advance construction plans and estimates by States, municipalities, and other

public and private agencies which may indicate the probable volume of construction within the United States or which may aid the construction agencies in formulating their advance plans.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PROPOSED MERGER OF GAS COMPANIES

Mr. GOFF. Mr. President, I ask unanimous consent to take up and pass Order of Business No. 545, Senate bill 4066, to authorize the merger of the Georgetown Gas Light Co. with and into the Washington Gas Light Co., and for other purposes.

The PRESIDING OFFICER. The Chair objects.

INTERIOR DEPARTMENT APPROPRIATION BILL

The Senate resumed the consideration of the bill (H. R. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

Mr. FRAZIER. Mr. President, the pending Interior Department appropriation bill covers appropriations for the Indian Bureau, which is in the Interior Department. There are a number of the Members of the Senate, especially those on the Committee on Indian Affairs, and other Members, who have taken much interest in the affairs of the Indians and have long since come to the conclusion that the Indians of the United States are not getting a square deal at the hands of the Government. We have from time to time and from session to session asked for amendments, and sometimes have gotten amendments agreed to by the Senate. Sometimes those amendments which we have succeeded in having adopted by the Senate were stricken out by the conferees when the Interior Department appropriation bill went to conference.

We have been accused of trying to delay the pending bill through a filibuster. I want to deny that. We are not interested in delaying the passage of the Interior Department appropriation bill, but we would like to bring before the Senate and the Congress and the public some of the situations confronting the Indians of this Nation, who are the wards of our Government.

The other day I received a letter from an Indian who sets forth the situation quite clearly, and I want to read a part of his letter, without giving his name or his home address. He says:

> On behalf of my fellow tribesmen I am taking the opportunity at this time to commend you and your committee for urging a change of conduct in the administration of Indian affairs.
>
> The writer appreciates the Indian, over a period of years, has been a troublesome problem for our Government, and it is only fair to charge this to the Indian and the Indian's lack of foresight. His mistake was failure to adopt and enforce protective immigration laws immediately following the first social call from Columbus.
>
> He's out of control now, and looks like those who are in are going to keep him out and solve his problem without him, without his advice, and without his cooperation, even though they bust him, financially and physically, in the operation.
>
> The fact that the history of man down through ages of the past reflects the rise and fall of races and nations through their ability or inability to reproduce or retain leadership within themselves, is of no value whatever in the solution of the Indian's problem. A hundred or 200 years should be sufficient (apparently it hasn't) in which to prove the fallacy of a different policy in the Government's efforts to advance and develop the Indian.
>
> The South, following the Civil War, made no progress until it was given full representation and opportunity to cooperate in the conduct of its Government and the solution of its problems. Lack of opportunity to solve or help in the solution of his own problems is the one drawback of the Indian to-day.
>
> Again, on behalf of the Indian I wish to commend you and your committee for your efforts in the Indian's behalf.

Mr. President, I think that statement is correct. In our investigations we have found frequently that the superintendents in charge of Indian reservations and agencies have not been willing to cooperate and consult and advise with the Indians themselves, that the Indians were not given a chance to have anything to say about how their business affairs should be conducted, how their property should be disposed of or protected, or, in fact, anything concerning their own welfare.

We have had instances where business councils, duly elected by the Indians themselves under the by-laws adopted by the Indians and ratified by the Bureau of Indian Affairs and the Secretary of the Interior, have been ignored, where the by-laws of the Indians have been literally ignored, where the superintendent and the department have refused absolutely to recognize the business council thus duly elected. In fact, we have several instances where the bureau or some one representing the bureau has deliberately gone out and succeeded in organizing what might be called a rump council of the tribe and recognized the rump council instead of the duly elected council chosen by the Indians themselves.

Mr. President, a couple of years ago our committee visited some reservations in the State of Washington. At Yakima, Wash., in a beautiful irrigated valley, we found that the irrigated lands of the Indians were being leased to white men. We found that there was a particular business man in a little town at the edge of the reservation who apparently had a number of leases. He and his friends were subletting the Indian lands for many times more than the Indians were receiving in the form of rent. The Indians testified they were getting $2 per acre as rent for their lands. We found from the testimony of a man who farmed the land in one instance that he had paid the white man from whom he obtained the lease at least $25 an acre for rental of the land or that the produce sold had amounted to that much. Of course, the Indians could not be expected to be satisfied under those conditions. They have a new superintendent there now and I understand conditions are somewhat better. I hope they are.

We went from the State of Washington to the Klamath Reservation in Oregon and held hearings there. On that reservation there is much valuable timber. We found that the Indians there were quite intelligent, many of them operating their own farms and doing fairly well. Many of them testified that they used to have large herds of cattle and sheep and got along fairly well. Then they began to be forced off the reservation by the actions of the superintendent and had been forced to sell their cattle and sheep. They complained about the way their forest products were being handled.

On the 5th day of the present month the junior Senator from Utah [Mr. KING] had the floor and was speaking about the situation. In the course of his remarks I interrupted and made a statement which the Commissioner of Indian Affairs has called to my attention and wants me to correct. In his letter the commissioner says:

> In reading the CONGRESSIONAL RECORD of January 5, we notice that on page 1376 you are quoted as having said:
>
> "Mr. President, the Commissioner of Indian Affairs orally, and the Secretary of the Interior by letter, stated that it would be a violation of the agreements and contracts with the lumber companies to make them public, so that they must be kept confidential; but, inasmuch as the committee was a part of the Government, they would be turned over to our committee in executive session."

That refers to the Committee on Indian Affairs.

The commissioner goes on further to say:

> May we call your attention to an evident misapprehension on your part. All contracts made in connection with Indian business are now, and so far as we know, always have been public. It is only that part of the report of forest engineer Muck which contains balance sheets and cost records of private companies given in confidence that is held by the department as confidential and which we have informed you can be shown to your committee only in executive session. As already advised, the regulation covering this is as follows:
>
> "All the records of the purchaser and his subcontractors pertaining to the logging operations and the manufacture and sale of the products thereof will be open to inspection at any reasonable time by the officer in charge or other officer designated by the Commissioner of Indian Affairs, and the information so obtained will be regarded as confidential."

Mr. President, upon this confidential information thus provided the price of the timber which is included in the contract may be changed under the direction of the Secretary of the Interior or other agent of the Government. According to most of the contracts with the lumber companies, at the end of a 3-year period a readjustment of prices may be made for the lumber based on these confidential reports, so that no one knows whether or not the Indians are getting a square deal in the matter of price for

their lumber unless we know what the confidential reports contain. Therefore the statement I made on the floor on the 5th of January is, I think, practically, if not technically, correct.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Utah?

Mr. FRAZIER. I yield.

Mr. KING. I am not quite clear as to the position taken by the Secretary of the Interior or the Commissioner of Indian Affairs with respect to contracts and reports which are considered by them as confidential. I know that certain contracts with certain lumbermen, entered into by the Commissioner of Indian Affairs or persons representing him, are held to be confidential, and Indians who are interested in the contracts for the timber which is governed by those contracts have been denied the right to inspect such contracts. It would seem to me that the position of the commissioner as revealed in his letter is a confession that the bureau has denied in the past and, of course, intends in the future to deny to the Indians or to the representatives of the Indians or to the general public access to those contracts and those reports filed, and will give them out only to those whom they consider entitled to see them or to some Senator who is investigating and demands the right to inspect them.

Mr. FRAZIER. The commissioner says the contract in itself is not confidential, but a provision is included in practically all of the contracts, as I understand it, between the Bureau of Indian Affairs and the lumber interests to the effect that at certain periods during the life of the contracts there is allowed by the contracts an increase in stumpage, in the price of the timber, based on a confidential showing of the lumber company as to the profit which they have made on the timber which they have cut up until that time. Upon that confidential showing the Bureau of Indian Affairs determine whether they will increase the cost of timber to the logging company after that time. They have increased at certain times and at other times they have not. The Indians have been complaining about it because they feel that other timber privately owned has been sold to better advantage. So upon the confidential report is based the fact as to whether or not an increase in price will be determined for the Indians for the timber from time to time during the life of the contract.

Mr. KING. It would seem to me that the Indians are entitled to full information in regard to the so-called confidential reports. How can they protect their interests or how can anyone representing their interests protect the Indians or protect their interests unless they know the basis upon which there is a readjustment of the rates charged or paid for the timber? I have among my papers statements showing that in a large number of cases there was a readjustment and rescaling. The lumbermen, of course, received the advantage by reason of the new scaling and readjustment and the Indians were not permitted, I presume, to have any voice in the determination of the issues which so seriously affected them.

If the Senator will pardon me, I think there ought to be a statute enacted which would create a legal bureau to protect the Indians. I am unwilling longer to leave the fate of the Indians, their multitudinous affairs, the legal questions involved, exclusively in the hands of the present Indian Bureau. Who is there to protect the Indians? Who is there to look after their interests? The Indian Bureau has failed absolutely. I think we ought to provide a legal bureau so that the Indians may have some one to whom they can appeal for redress when they have grievances, some lawyer of eminence who will care for their rights and to whom they can appeal when they feel there is an invasion of their legal rights.

Mr. FRAZIER. I think the Senator from Utah is absolutely correct. I think the Indians and their business council are entitled to know what the confidential reports contain. I do not know whether, with the present system under which the Indian Bureau operates, it would do any good, because the business council of this particular tribe of Indians is not consulted anyway. When the contract is originally made they are not consulted. They are not consulted at any time about how their business shall be conducted, although there is on the average, I think, more than a million dollars' worth of business transacted each year in the handling of their property.

Mr. KING. The Senator is now speaking of the Klamath Tribe of Indians?

Mr. FRAZIER. Yes.

Mr. KING. Of course, there are other tribes whose business involves similar amounts each year.

Mr. FRAZIER. There will be some amendments offered at the proper time in regard to some of the items affecting the Klamath Indian appropriation, and I trust that some of them at least may be adopted.

One of the great troubles we have found in regard to the Indian situation is a lack of proper schooling facilities. The Indian Bureau has given the Congress to understand for years, I think, that the Indian children were being well taken care of in schools of some kind. But enough criticism and comment was stirred up during the last year or two to secure provision for a sort of a survey among Indian children of school age throughout the United States. In the Senate hearings on House bill 14675 there is a table on page 29 showing the number of Indian children between the ages of 6 and 18 years in the various States, the number going to public schools, to Government schools, to mission schools, and so forth. The table gives the percentages in the various States. In Oklahoma, which has the largest number of Indians by far of any State in the Union, only 70 per cent of the Indian children between the ages of 6 and 18 years are enrolled in any school whatever; and, Mr. President, that does not mean that in Olkahoma 70 per cent of the Indian children go to school, by any means; it means that only 70 per cent of them are enrolled in the schools.

In Arizona only 53 per cent are enrolled; in New Mexico only 64 per cent; in South Dakota 75 per cent; in Minnesota, which has the highest percentage, it is 85 per cent, and most of the children in Minnesota attend public schools, I think, the Government paying a tuition amounting to approximately 35 cents a day for each Indian child for each day it attends the public schools.

In some of the States the percentage is much lower. In Wisconsin only 46 per cent of the Indian children between 6 and 18 years of age attend any public school, according to this report; in Iowa 51 per cent; in Florida 7 per cent. Of course, according to this report, there are only a small number of Indian children in Florida, the number being 194.

The Senator from Oklahoma [Mr. THOMAS] a day or two ago on the floor of the Senate made a very interesting statement in regard to the Seminoles of Florida. The Senators who heard the statement will recall that those Seminole Indians—and they were among the most intelligent at that time of any band of Indians in the whole country—refused to be deported, if that be the proper term, to Indian Territory. They put up a fight, and their fight was so determined that the Army of the United States that was sent down there to round them up and take them over to Indian Territory could not defeat them. So what was done by a general of the United States Army, under the flag of the United States Government? Under a flag of truce the leaders of those Indians were induced to come in and confer with him, but on reaching his headquarters they were surrounded by the Federal soldiers; the leaders of the Seminoles were put in irons and sent to jail; and the great leader of those Indians died in jail.

It is stated that there are only 194 Indian children in Florida. I am inclined to think there are many more than that, although when we were down there we saw only a few of them. As the Senator from Oklahoma explained, the Seminoles of Florida were suspicious of any representative of the United States Government. In view of their past experience, I do not blame them in the least. They think more of the crocodiles down there in the Everglades than they do of the representatives of the United States Government, and

I think they are absolutely justified in that opinion, in view of the treatment they have had during all the years, dating back to before the Civil War.

Most of the Seminole Indians in Florida run wild in the Everglades. I understand there is a bill pending to set aside a national park in the Everglades. I hope that in that bill may be made a provision for a home for those Florida Indians, and then that their confidence may be won and schools provided for them, so that they may be educated and live better than they are living at the present time.

Of all the Indian children in the United States, numbering, according to this report, 103,368, only 65 per cent were enrolled in any school in the year 1930. Mr. President, although the Government of the United States for more than 100 years has been the guardian of the American Indians, only 65 per cent of their children are enrolled in any school; and I presume I am safe in saying that that is the highest percentage of Indian children that has ever been enrolled in any one year of the history of the United States Government.

It seems to me, Mr. President, that it is time there was a reorganization of the Indian department; and that it is time that the money that is appropriated by the United States Congress should be honestly and efficiently spent for the benefit of the Indians and not for the benefit of politicians and Government employees.

Mr. President, early in November last year the subcommittee made a trip South. The first stop was at Philadelphia, Miss. We found an interesting situation there, and one that amazed me, I was going to say, more than anything that I had ever found in the Indian situation, but I do not know that such a statement would be correct, because I have been so amazed about so many things in the Indian situation that this is only along the same line, only a little more amazing, perhaps, than in most cases. We found there a band of Indians known as the Mississippi Choctaws. The superintendent told us that they numbered 1,666, and were scattered around in three or four counties. In the last century an effort was made to move them, and some of them were moved, into Indian Territory, while others remained in Mississippi. In 1832 a treaty was made with the Mississippi Choctaws giving the heads of families deeds to certain land. The Government admitted that the Mississippi Choctaws owned approximately 85,000 acres of land in Mississippi at that time, and so it was agreed by the treaty of 1832 known as the Dancing Rabbit treaty, that the Indians should have deeds to the lands, the deeds were to be signed by the President of the United States; the lands were not to be sold, as I recall, without the consent of the President, and the Indians, of course, were to live on the lands and farm them and make their living there.

I want to read briefly from statements made by the superintendent and others at that hearing. Doctor Enochs is the superintendent there, and I will say for Doctor Enochs that he impressed me as being honestly interested in the welfare of the Mississippi Choctaws, and I think he is doing his very best to take care of them, under the circumstances. He says:

> The last treaty signed with the Choctaws was in 1832, known as the Dancing Rabbit Creek treaty. The Mississippi Choctaws ceded all their land to the United States Government at that time except certain sections of land reserved for them. This land was supposed to be held in trust for them.
>
> When I came to the agency in 1926 I found patents for about 25,000 or 26,000 acres of land for various old allottees. My instructions were to deliver these patents to the presumed heirs. I really have not delivered any of them hardly. In addition to the patents for about 25,000 acres of land, the General Land Office books show still reserved—that is, the notation we get on our returns from the Indian Office or the General Land Office through the Indian Office—which shows "still reserved." This amounts to about 55,000 acres of land.

That is in addition to the patents that they have which the Government issued to them for from 20,000 to 25,000 acres.

> This would indicate that this land has never technically passed from the Indians.

We found, however, Mr. President, upon questioning the superintendent and others that this land has been occupied ever since the treaty was made, and probably was occupied at the time the treaty was made, by white settlers; that towns and farm homes have been built up on those Indian lands, and the citizens there have farmed that land for the last 100 years.

Mr. President, the committee found, upon questioning the superintendent and other officials there with regard to the Choctaw Mississippi lands, that only one Indian was now in possession of lands which were set aside by the treaty of 1832 for those Indians. One section of land, 640 acres, was held by an Indian out of approximately 85,000 acres that were set aside for them in the treaty of 1832.

Upon further inquiry as to why the superintendent had not looked up the heirs and given them the patents or deeds of the lands that had been sent to his office, we found that the office there had had instructions from the Indian Bureau here at Washington that their duties ceased when they received the deeds or patents, and that it was not their duty to get out and look up the owners or the heirs who were entitled to the land.

Perhaps that is technically true; but it seems just a little strange when the guardians of the Indians, the representatives of the United States Government, refuse to go any further than just to issue the deeds of the land under a treaty, and then not look up the heirs, or help them to get possession of the land.

In this particular case it is practically impossible, I presume, to get possession of that land, because it has been held for a hundred years by white people. It has been sold and resold, according to the information we got, and the white people honestly think they own it, I presume. One case went into court, and the attorney for the Indian heirs testified that they had an opinion of the court that the lands still belonged to the Indians; and under their law, after the lapse of two years' time, if no further action is brought in the courts by the people who now are on the land, the title passes to the Indians, according to this attorney's opinion. That, however, is rather doubtful in my mind; and I am not so sure that it would be quite fair to the white settlers who have lived there for a hundred years, or who have bought the land, innocently thinking that they had a good title to the land.

I do believe, however, that something should be done for the Indians who have been cheated out of their land. The bill now under discussion provides for the appropriation of $6,500 with which the Indian Bureau or the Secretary of the Interior may buy homes for these Indians, little farms of not to exceed 80 acres. They have expended up to the present time, since 1919, $52,432 in buying farms, most of them of 40 acres or a little less, and building little houses and barns upon the land for the Indians. The Indians have been going in there to farm the land, and many of them are getting along very well. These sales, however, were made on the reimbursable plan that has been adopted by the United States Congress where the Indians get anything from the Government, even an appropriation, generally speaking.

Some of the Indians wanted to know what this reimbursable proposition meant, and whether it was a lien on their property. They wanted to know whether they could go on and improve it or not. Of course, they were told that no attempt had been made to collect any of this money, and that probably there would not be any attempt during their lifetimes, at least.

I think it is up to the United States Congress to pass legislation taking care of this situation and providing for the purchase of good farms for those Indians. The heads of families were to have a section apiece. Now the Indian Bureau is buying little farms of 40 acres, and there is a lien against the property for the amount they pay for it, and for the building. They are also building a few schools. They state in the House hearings that in buying this land it will take, I think, eighty-some thousand dollars to buy enough to go around among these Indians, or about that

amount, as I recall. I do not see the figures just for the minute. Instead of asking for the whole amount, however, they are going on the installment plan, and asking for $6,500 per year to buy little farms for those Indians who have been cheated out of their land during the past hundred years.

I referred to a letter from the Interior Department having to do with the leases of this land, or the patents to this land. Here is a copy of a letter under date of December 20, 1926:

UNITED STATES DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, December 20, 1926.

Dr. R. J. ENOCHS,
Superintendent and Physician, Choctaw Agency.

MY DEAR MR. ENOCHS: Reply is made to your letter of December 9 referring to Choctaw reserves in the names of Oklahoma and T. Magaha (also known as Alexander F. McGahey), for which patents in fee were issued during the past year or two. As stated in our letter of December 15 and prior correspondence, the Government has no further interest whatever in lands for which fee patents have been issued, and if presumptive heirs or claimants believe that legal action is necessary to determine their alleged respective rights, it is strictly a matter for State courts, and the Federal courts would not have jurisdiction.

Very truly yours,

E. B. MERITT,
Assistant Commissioner.

In other words, the Indian Department washes its hands of the whole affair by getting a patent issued to the old allottee, who died probably 50 years ago, and is willing to let his heirs look up the property and gain title to it if they can.

It seems that there is a statute in the State of Mississippi, according to some information we got, which provides that if a patent in fee or any other public document is not duly filed in the county records in 10 years' time it becomes void and of no account; and the supposition is that if these patents are held in the Indian office down there at the agency for 10 years' time they will automatically become void and the Indians will be right where they have been for the last hundred years, without any land.

Some attorneys who appeared before our committee testified that, in their opinion, that law would not apply to the property of those Indians. I do not see why it should, although, of course, I do not know, and it is up to the courts to determine.

I desire to mention a case in the State of Oklahoma that the junior Senator from that State [Mr. THOMAS] did not mention the other day in his address. We found, in the case of the Seminole Tribe down there, that some years ago their charter or tribal organization had expired, and since that time they have not, under the law, been able to organize and elect a chief or other tribal officials. There was a law passed back in 1906 which provided that the President of the United States should choose a chief for these people.

These Indians had some school property, a little tract of land and a school built out of their own money, out of their tribal funds. The Government had not put a single dollar into it. It was found that oil had been discovered in the proximity of that school property, and some of the oil men apparently wanted to get a permit to drill for oil there. The Indians did not want to sell. Finally their school burned down for some reason or other—nobody seems to know why—and then the oil company wanted to purchase the land. Under the laws of the State, before they could purchase that land they had to have a written deed signed by the principal chief of the Seminole Tribe; so the President of the United States appointed a chief and the deed was put up to this chief to sign, and according to their regulations they are given 30 days in which to sign, and if they do not sign it in 30 days they can be removed for not doing their duty.

A witness came before the committee who was appointed in that way as chief. Her name was Mrs. Davis. It seemed that her brother had been chief of that tribe for many years. He had died some years ago and Mrs. Davis was appointed as principal chief. She was appointed by President Harding in 1923. She stated that the deed was put up to her to sign. She told the agent she wanted to study the matter, and took the deed home with her. After a few days she refused to sign it, as she did not believe it was to the interest of her Indians to sign the deed. So at the end of the 30 days she was removed from office and a second chief was appointed by the President of the United States. A man was appointed at that time, who also refused to sign the deed. After the 30-day period was up he was removed and a third man was appointed as chief of that tribe, and the proposition put up to him to sign the deed. He also refused.

I have a photostatic copy of the deed here, and the dotted line designated with the date, on which the principal chief of the Seminole Nation was to sign, is blank; there is no signature upon that line. But it is signed down below by Hubert Work as Secretary, and there is a notation here:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY.

Approved December 22, 1924, under section 8 of the act of Congress approved April 26, 1906, on refusal of the principal chief of the Seminole Nation to sign this instrument.

So the deed was signed and the oil men got the property, and, according to the information we received, made a lot of money out of the oil they got from that property.

I mention this to show some of the deals which have been put across by representatives of the United States Government upon the wards they are supposed to take care of. Of those deeds I speak of with the Choctaws in Mississippi, the earliest deeds we saw were signed by President Woodrow Wilson when he was President, and some by President Harding, and it is said they can get the deeds for the rest of the 55,000 acres of land when it is wanted. Something should be done to straighten out these affairs.

We found that in numerous instances Federal employees at these agencies, sometimes of Indian blood, who were honestly interested, apparently, in doing the very best they could for the Indians, had the courage of their convictions to protest to the Indian Bureau against irregularities, against fraudulent treatment certain white individuals wanted to put across, deals they wanted to put across to cheat the Indians out of their property; and because those employees had the honesty, had the integrity, to stand up and fight for the people whose property and whose interests they had taken an oath of office to take care of they were removed from office. We found that in several instances.

Down in Oklahoma a young man of college education, part Indian, said he had gotten his education not by help of the bureau but in spite of it. He had made a good record. He had been in the Indian Service for several years as superintendent down there, and the Indians we met, without exception, had a good word for that man. He had visited their homes, he had taken an interest in them, he had gotten their children to go to school, and all that sort of thing. Because he blocked some of the crooked deals attempted to be put across on the Indians down there, the department sent an inspector down, so the story goes, to check up on the superintendent. He was not the kind of man they wanted as superintendent of an Indian agency. He was too much interested in the Indians. So they sent a man down there to check up on him. They found that back several years before that he had sold a horse he had owned a few years and did not want any longer to an Indian who wanted the horse. The testimony was that the Indian was well satisfied, that he paid only a fair price for the horse, and the horse, I think, is still owned down there by some one. The result was, because of a regulation of the department that no employee of the department shall trade with the Indians in any way, that that man was removed from office because he sold that horse to the Indian.

Mr. President, I believe I am safe in saying that there is not an employee on any Indian agency in the United States, who has been in the service for five years, who has not at least technically violated that regulation in some way or other. They can not very well help trading with the Indians upon occasion. Out in Montana an employee testified under oath that he had handled the farm machinery that was taken in by a bank in a neighboring town, and he was selling it to the Indians, getting a down cash payment, the balance to be paid in a certain length of time. But when a

payment was not made, he went out and took the property away from the Indians. In one case he had sold an Indian a mower, and when the Indian could not make the second payment, just before haying time, not being able to make the payment until the haying was done, this employee of the Government went out and took that mower away from the Indian and sold it to somebody else for the banker. And he testified he was doing that for the good of the Indian. I think he is still on the job out there, or at least he was the last time I heard of him. But this representative of the Indian bureau down in Oklahoma, who had shown in every way that he was interested in the Indians and was doing what he could for their benefit and to give them a square deal, was removed because technically he had violated one of the regulations of the department.

Mr. President, since we have been investigating conditions of the Indians we have found that at various times Government reports have been made setting forth the situation in what seemed to be very plain terms, but that the Department of the Interior and the Indian Bureau have absolutely neglected and refused to accept those reports, reports of their own people, in many instances.

A few days ago the junior Senator from Utah [Mr. KING] read from a report of some engineers in regard to irrigation projects. I want to read just briefly two or three statements from this report. Among other places we visited in Montana was the Blackfeet Reservation. It is just on this side of the Rocky Mountains and adjoins the mountains. It is in a high altitude and not much farming can be done there, according to people who came before our committee, because the season is too short, because they have frost, frequently, every month in the year, and not much in the way of crops can be produced. Alfalfa grows and matures very nicely, but grains can be raised only once in every few years.

Here is a statement from this report made by an eminent engineer at the request of the Secretary of the Interior at that time, and I believe, from a study of their report, that they were honest and sincere and knew what they were talking about. The report states:

> Another instance of incomplete data that not infrequently characterizes the Indian irrigation service justifications is noted in the discussion of the Blackfeet project appearing in the congressional subcommittee hearings on the Indian appropriation bill for the fiscal year 1929, wherein there is included some statements of a general nature, and then instead of disclosing the condition actually existing (that the Indians are making practically no use of the irrigation facilities provided by the Government project, having irrigated only 45 acres during the season of 1926), which apparently are purposely omitted, the statement is made: "Some of this land is irrigated by Indians and more will be."

This statement is in regard to a so-called justification made to the Indian Bureau before the Committee on Appropriations of the House when the pending bill was before that committee. They said the facts were that only 45 acres of this irrigated land were cultivated by the Indians in 1926. According to the information in the House hearings on the pending bill there were only 32 acres of that land cultivated by those Blackfeet Indians in 1930. That statement can be found in the House hearings, page 926.

> Some of this land is irrigated by Indians and more will be.

That statement was made by a representative of the Indian Bureau before the committee of the House when the appropriation bill of 1929 was being considered. Instead of more being cultivated by the Indians—there were 45 acres being cultivated at that time—this year's hearings disclose that only 32 acres were cultivated last year.

This report goes on to state in regard to the Klamath Reservation:

> As more specifically pointed out in another section of this report much of the data relating to utilization of land, crop production, and other activities in the reports and justifications from some reservations is so grossly exaggerated as to be worse than useless. As instances of this, several thousand acres actually leased and farmed by Japanese on the Yakima Reservation are reported as being farmed by Indians. On the Klamath Reservation the area reported as being farmed by Indians is many times the area they are actually farming.

On page 2294 of the same report of the board of advisers, so called, this statement is made:

> On one reservation we were informed by two employees in responsible positions that the superintendent's admonition to certain of his employees charged with the preparation of the annual report was, "The Indian Office expects a lot of hot air about the farming of the Indians and it's up to us to give it to them or they'll put employees in here who will give it to them."

In other words, they were instructed by the superintendent of the agency that the Indian Bureau wanted a lot of "hot air" in regard to Indian farming in order to justify the expenditure of further money for irrigation projects for the Indians. Time after time we found that the money expended for irrigation purposes for the Indians was worse than wasted. On one reservation in Montana, after they had spent hundreds of thousands of dollars to put in an irrigation project, we found that it needed no expert to see what the situation was, because they did not have water enough to irrigate the little bit of land the Indians wanted to work. The money was absolutely wasted, and still the bureau is going on in almost all these cases asking, as in the present bill, for more appropriations for irrigating the Indian lands.

Mr. President, I am not going to take much more time at present. I have a few amendments to the bill which I want to offer at the proper time, and perhaps shall speak briefly upon some of them. If those who are friendly to the Indians want to see them given a square deal, want to see their property protected and not squandered, as I am frank to say in my opinion it is being squandered on many of the reservations, if we can do no more than get the facts before the people I believe we can arouse public sentiment and create a demand for just and fair legislation for these wards of the Government.

It will be found in the pending appropriation bill that the largest appropriations for the expenses of running the reservations or the Indian agencies are usually where the Indians themselves have a great deal of money.

The pending amendment offered by the Senator from Oklahoma [Mr. THOMAS] is a provision to take the appropriation for a certain Indian agency in his State out of the reimbursable class. The same thing should be done with a great many of the reimbursable appropriations. Roads for tourists have been built out of Indian money, bridges have been built which the Indians scarcely ever use, sometimes 25 or 50 miles away from the residence of any Indian, but built out of Indian money on the reimbursable plan.

It is said by the Indian Bureau that this provision is never enforced, that it is just a charge against the land. But the reimbursable provision among the Indians on the irrigated lands is a lien against their lands. If an allottee sells his irrigated land to a white man, before the white man can get a deed to it he must assume a certain obligation; that is to say, if the land is worth $50 an acre, the white man pays the $50 an acre, but there is a lien against the land sometimes of $100, sometimes $200 or $300, and the white man has to assume the amount of the lien before he can get a deed to his land. In many instances in purchasing irrigated land the white man has assumed the lien against it because he is told it will never be collected, that the lien will be wiped out by Congress, and that he will never have to pay it. Perhaps that is true. I am frank to say that it should be done in practically every instance.

I have here a copy of a report containing a statement of the reimbursable accounts between the United States and various Indian tribes for the fiscal year ending June 30, 1928. It gives the data as to the various tribes throughout the United States. The total amount appropriated up to that time was $41,291,247.19, and the amount up to that date which had been reimbursed to the Government from Indian property was $1,445,214.38. So, Mr. President, the money appropriated for the Indians on the reimbursable plan is being paid back. At that time there was outstanding reimbursable to the United States the sum of $34,310,037.23.

Under the regulations of the department when an Indian allottee dies his land is sold and the proceeds divided among the heirs. When there is a lien on it, the lien must be

satisfied of course before whoever buys it can get a deed, or at least he must assume the lien, and the result is that the heirs get nothing. The Government is paid back a part of the lien, at least, but the heirs get nothing out of it in most cases. In a way it is robbing the heirs of the Indians to pay in some instances for absolutely foolish expenditures by the Indian Bureau.

Mr. President, I shall have a little more to say later when other amendments are offered.

Mr. KING. Mr. President, I desire to offer an amendment.

The VICE PRESIDENT. There is an amendment pending. The pending question is on the amendments of the Senator from Oklahoma [Mr. THOMAS], who asked unanimous consent that both his amendments should be considered as one and voted on at the same time.

Mr. THOMAS of Oklahoma. Unanimous consent was granted this afternoon to do that.

The VICE PRESIDENT. Was the vote reconsidered by which the amendment on page 60, line 6, was agreed to? The present occupant of the chair was not in the chair earlier in the afternoon.

Mr. MOSES. Mr. President, everything was done in that connection to bring the two amendments of the Senator from Oklahoma before the Senate to be voted on as one amendment.

Mr. SMOOT. The pending question includes both proposals of the Senator from Oklahoma, and are to be voted on as one amendment, as agreed by unanimous consent.

The VICE PRESIDENT. The question is on the amendments of the Senator from Oklahoma, which are to be voted on as one.

Mr. SMOOT. Mr. President, I think before the vote is taken we had better have a quorum present, unless my colleague wants to address the Senate.

Mr. KING. No; I desire to offer an amendment, which I believe is not in order at this time.

Mr. SMOOT. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Frazier	La Follette	Smoot
Barkley	George	McGill	Steiwer
Bingham	Glass	McKellar	Stephens
Black	Goff	McNary	Swanson
Blaine	Goldsborough	Metcalf	Thomas, Idaho
Bratton	Hale	Morrison	Thomas, Okla.
Brock	Harris	Morrow	Townsend
Brookhart	Harrison	Moses	Trammell
Bulkley	Hastings	Norris	Tydings
Capper	Hatfield	Oddie	Vandenberg
Caraway	Hawes	Partridge	Wagner
Connally	Hayden	Patterson	Walsh, Mass.
Copeland	Hebert	Phipps	Walsh, Mont.
Couzens	Heflin	Pine	Watson
Cutting	Johnson	Pittman	Wheeler
Dale	Jones	Reed	Williamson
Davis	Kendrick	Schall	
Deneen	Keyes	Sheppard	
Fletcher	King	Shortridge	

The VICE PRESIDENT. Seventy-three Senators have answered to their names. A quorum is present. The question is on the two amendments proposed by the Senator from Oklahoma [Mr. THOMAS].

Mr. THOMAS of Oklahoma. Mr. President, before the vote is taken I think, perhaps, I should make a brief statement. This amendment proposes to change the source of support of the Kiowa Indian Agency from the trust funds of these tribes to the Federal Treasury. The Kiowa Agency superintends about 11 different bands of Indians. Three of those tribes have a small amount of trust funds, a per capita of $58 per Indian. It is proposed by the bill to take the trust fund of those three tribes to support an agency that supervises the 11 tribes, and I object to that.

The VICE PRESIDENT. The question is on agreeing to the amendments. [Putting the question.] The ayes seem to have it.

Mr. SMOOT. I ask for a division, Mr. President.

The question being again put, on a division, the amendments were agreed to.

The VICE PRESIDENT. The bill is before the Senate and is open to amendment. Without objection, the amendment on page 60, as amended, will be agreed to.

Mr. THOMAS of Oklahoma. On page 63, in line 16, the bill contains an item of $3,100 to be deducted from the Sac and Fox tribal funds to maintain a portion of the Shawnee Agency. I move, first, that on page 63, in line 16, the words "Sac and Fox, $3,100," be stricken from that item; and, if the chairman will permit that amendment to be agreed to and go to conference, if the conference committee agrees that it should go out, I shall have no objection.

Mr. SMOOT. I have no objection to it.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Oklahoma.

The amendment was agreed to.

Mr. THOMAS of Oklahoma. Without any purpose on my part of holding up this bill for more than a few moments, I desire to offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Oklahoma will be stated.

The CHIEF CLERK. On page 49, after line 11, it is proposed to add the following:

Fort Sill Indian School, Oklahoma: For school building, embracing school rooms, auditorium, and gymnasium, $40,000; for machine shop and equipment, $10,000; for boys' dormitory, $30,000; for girls' dormitory, $30,000; for repair and improvement, $3,000; and for employees' building, $14,000; in all, $127,000: *Provided*, That after June 30, 1931, the Fort Sill Indian School shall be transferred from the jurisdiction of the superintendent of the Kiowa Agency to the Commissioner of Indian Affairs.

Mr. THOMAS of Oklahoma. Mr. President, this is similar to an amendment offered by me on a previous day. A point of order was made against the amendment on three grounds: First, that it was not authorized by law; second, that it was not estimated for; and, third, that it was not recommended by the Budget Bureau. After a few moments of consideration of the point of order, the Chair held that the point of order was well taken, and, of course, the amendment went out. However, Mr. President, speaking for myself, and as a representative of half the Indians of the country, I am not satisfied with that ruling, and ask the indulgence of the Chair at this time to hear me briefly as to why I am not satisfied.

In justification of the amendment, I submit what is known as the Snyder Act. That is already in the RECORD; and the Chair being familiar with it, I shall take no time to refer to it. I desire, however, to call the attention of the Chair to the report of the chairman of the House committee when the Snyder Act was presented to the House. I present for the RECORD a copy of that report and ask that it may be read. It is only about 10 or 12 lines long.

The VICE PRESIDENT. The Secretary will read, as requested.

The Chief Clerk read as follows:

[Report No. 275, Sixty-seventh Congress, first session]

APPROPRIATIONS AND EXPENDITURES FOR THE ADMINISTRATION OF INDIAN AFFAIRS

Mr. Snyder, from the Committee on Indian Affairs, submitted the following report (to accompany H. R. 7848):

The Committee on Indian Affairs, to whom was referred the bill (H. R. 7848) entitled "A bill authorizing appropriations and expenditures for the administration of Indian affairs, and for other purposes," having considered the same, report it back to the House without amendment, with the recommendation that the bill do pass.

This is a bill to make in order appropriations for bureaus that have been added to the Indian Service since the bureau was inaugurated in 1838, which have thus become integral parts of the service, nearly all of which have been appropriated for from year to year and which will continue, in all probability, as long as the bureau exists. Therefore the committee has deemed it wise to present a bill which will make in order these appropriations which have hitherto been subject to a point of order.

Mr. THOMAS of Oklahoma. Mr. President, after Mr. Snyder, who was at that time chairman of the Indian Affairs Committee of the House, submitted his report, which has just been read, the bill was brought before the House for consideration. During the consideration of the bill Mr. KELLY, of Pennsylvania, secured the floor. I desire to read the first paragraph from his address, as follows:

Mr. Chairman and gentlemen of the committee, this measure simply makes in order the items which have been carried for many years in the Indian appropriation bills. I helped to take a number of these items out of the last Indian bill through points of order, but it was the most futile effort possible, for they were reinserted in the Senate and in the end nothing was accomplished. I am opposed to legislating on the point-of-order principle, where one man can prevent action by the entire body, and therefore I shall not oppose this measure. I sincerely hope, however, that it will give us the opportunity to get down to the fundamentals of our Indian system and inspire us to constructive remedies for an intolerable situation.

Later on in the same discussion of this particular bill Mr. BLANTON, of Texas, had the floor, and Mr. Andrews rose and interrogated him as follows:

Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes; I yield.

Mr. ANDREWS. Would not a good title for this bill be "A bill to prevent the chairman of the Committee on Indian Affairs from raising points of order on the Indian appropriation bill"?

Mr. BLANTON. No. That is a facetious question. For it prevents each and every Member of the House from making points of order against such items of appropriation.

Later on in the same discussion Mr. BLANTON used the following language:

Mr. Chairman and gentlemen, the gentleman from Nebraska [Mr. Andrews] asked the gentleman from Oklahoma if it were not a fact that the only purpose of this bill was to make the Indian appropriation bill impervious to points of order. The gentleman from Oklahoma, of course, answered yes, and that was the fact.

Now, Mr. President, this bill passed the House of Representatives, came to the Senate, and in due course was referred to the Committee on Indian Affairs of the Senate. The bill was numbered H. R. 7848. That is the same bill which was later enacted into what is known as the Synder Act. The bill was considered at the first session of the Sixty-seventh Congress. At that time a distinguished Senator from Kansas was chairman of the Senate Committee on Indian Affairs; at that time the committee had in its membership the following Senators who are still Members of this body, namely, the Senator from Oregon [Mr. McNARY], the Senator from Arizona [Mr. ASHURST], the Senator from Montana [Mr. WALSH], and the Senator from Wyoming [Mr. KENDRICK]. The chairman of the committee at that time was, as I have said, a distinguished Senator from Kansas. He was likewise a member of one of our Indian tribes. Practically all the legislation affecting our Indian population was prepared by this distinguished Senator, and during his long service as a Member of the Congress, first in the House and later in the Senate, he was ever known to be the friend of the Indians. It was this distinguished Senator from Kansas, Mr. Curtis, who submitted the report on the bill (H. R. 7848), which later became what is known as the Synder Act. I now send to the desk the report upon this bill submitted by the then chairman of the committee, and ask that it be read.

The VICE PRESIDENT. Without objection, the clerk will read.

The Chief Clerk read as follows:

[Report No. 294, Sixty-seventh Congress, first session]

AUTHORIZING APPROPRIATIONS AND EXPENDITURES FOR THE ADMINISTRATION OF INDIAN AFFAIRS

Mr. Curtis, from the Committee on Indian Affairs, submitted the following report (to accompany H. R. 7848):

The Committee on Indian Affairs, to whom was referred the bill (H. R. 7848) authorizing appropriations and expenditures for the administration of Indian affairs, and for other purposes, having considered the same, report favorably thereon with the recommendation that the bill do pass without amendment. The necessity for the enactment of this legislation is fully set out in the letter of the Acting Secretary of the Interior, dated August 19, 1921, which is hereto attached and made a part of this report.

DEPARTMENT OF THE INTERIOR,
Washington, August 19, 1921.

Hon. CHARLES CURTIS,
Chairman Committee on Indian Affairs,
United States Senate.

MY DEAR SENATOR: Further reference is made to your letter of August 12, submitting for report H. R. 7848, a bill authorizing appropriations and expenditures for the administration of Indian affairs, and for other purposes.

While the Indian appropriation bill for the fiscal year 1922 was under consideration in the House of Representatives points of order were made and sustained on a number of items appearing in the bill because of the fact that there was no basic law authorizing such appropriations.

Section 463 of the Revised Statutes provides that "The Commissioner of Indian Affairs shall * * * have the management of all Indian affairs and of all matters arising out of Indian relations." This law was enacted July 9, 1832. As treaties were made with various tribes and reservations set aside for them, the Indian problem became more complicated, and numerous activities have been undertaken in order to more speedily bring about the civilization of the Indian tribes of the United States. There has been no specific law authorizing many of the expenditures for the benefit of the Indians. Congress, however, has continued to make appropriations to carry on the activities of the Indian Service.

In view of the fact that there is no basic law at the present time authorizing many of the items appearing in the annual Indian appropriation act, and the further fact that the bill in question would give Congress authority to appropriate for the expenses of the Indian Service for all necessary activities, it is recommended that H. R. 7848 be enacted into law.

Sincerely,

E. C. FINNEY, *Acting Secretary.*

Mr. THOMAS of Oklahoma. Mr. President, there are three points in this point of order that can be made, and no doubt will be made; but I am going to ask the Chair to rule on each point separately.

The first point is that this amendment is not in order for the reason that it has not been estimated for. I submit that it is not necessary for the Senate to have an estimate from anyone to give us the right to entertain an appropriation item.

The second point is that it has not been recommended by the Budget. I submit that it is not necessary for us to have a recommendation from the Budget in order to entertain an item for appropriation. The Budget is for the sole purpose of advising the President, to enable him to send to the Congress recommendations for appropriations.

As to the third point, I hold that the Snyder Act was intended, in the first instance, to give the House and the Senate the right under the law to introduce items of appropriation to take care of the Indian Service.

I submit that the point of order which was made the other day, and sustained, should not have been sustained; and, not being satisfied with the ruling of the Chair at that time, I take the opportunity to submit additional evidence and ask for a reruling on the point of order.

Mr. SMOOT. Mr. President, I do not know that I need to say anything. It seems to me that if a point of order does not lie against this amendment, no point of order can be successfully made against any item in an appropriation bill, because the amendment violates all of the matters mentioned in the rule.

The VICE PRESIDENT. Under the circumstances, the Chair will submit to the Senate the question whether or not this amendment is in order. All those who think the amendment is in order will say "aye." [A pause.] Those who are of the contrary view will say "no." [A pause.] By the sound the ayes seem to have it. The ayes have it, and the Senate holds the amendment to be in order. The question now is on agreeing to the amendment offered by the Senator from Oklahoma.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I shall make no more points of order against any item. Anything that Senators want to propose can go into the bill.

Mr. THOMAS of Oklahoma. Mr. President, without desiring to take any further time, I reoffer the Pawnee amendment, the same as offered on a previous occasion, and ask for a vote on it.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 43, line 19, it is proposed to add the following:

Pawnee, Okla.: For school building, auditorium, and gymnasium, including equipment, $60,000; for heating plant, $20,000; for converting present school building into dormitory, $5,000; in all, $85,000.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Oklahoma.

The amendment was agreed to.

Mr. SMOOT. I ask unanimous consent that all the totals be changed by the clerks without any action on the part of the Senate.

The VICE PRESIDENT. Without objection, that order will be made.

Mr. KING. Mr. President, I invite attention to page 113, and move to strike out all of lines 7 to 19, inclusive:

For all expenses, including personal services in the District of Columbia and elsewhere, purchase and rental of equipment, purchase of supplies, traveling expenses, printing, and all other incidental expenses not included in the foregoing, to enable the Secretary of the Interior, through the Office of Education, at a total cost of not to exceed $350,000, to make a study of the sources and apportionment of school revenues and their expenditure, $50,000: *Provided*, That specialists and experts for service in this investigation may be employed at rates to be fixed by the Secretary of the Interior to correspond to those established by the classification act of 1923, as amended, and without reference to the civil service act of January 16, 1883.

Mr. President, there is no justification whatever for the provision which I have just read. It is an illustration of the growing appetite of Federal bureaus and agencies. When a bureau is created it asks for a small appropriation and gives the impression that the field which it will cover and the functions which it will perform are limited. It gives no indication of the mammoth proportions which it ultimately assumes or the struggle which it will make to increase its authority and enlarge its personnel. Under our form of government the States have control of education and the duty rests upon them of providing for the education of the children within their borders. The founders of this Republic were unwilling to commit to the Federal Government the educational interests of the people. In this Republic if there is one field in which the States should be supreme it is the field of education. A Federal bureaucracy dealing with education will set no limit to its activities, but little by little it will project itself into the States, usurp its functions, and seek to control and direct the educational work therein. Centralized governments appreciate that their authority can be increased and their jurisdiction enlarged if they can control the education of the people.

Under our form of government the National Government is given no authority to deal with this important question; but, as stated, the Federal Bureau of Education, having been created by Congress, seeks to enlarge its activities and to obtain constantly increasing appropriations from the Federal Treasury. Undoubtedly there are individuals in the various States who do not fully appreciate the limitations upon the Federal Government and the importance of the States maintaining unimpaired the authority and sovereign power which they possess. Unfortunately, the States are being weakened—indeed, as many believe, devitalized—they are surrendering to the General Government authority which they possess and which, if they surrender, will ultimately change, if not destroy, our form of government. With the momentum attained by the centralizing forces operating in this Republic, there is reason for grave apprehension as to the future of this Republic. Individual rights and the independence of the States will not be preserved if these powerful gravitational forces which are now drawing the States from their orbits are unchecked. There should be a renaissance of individualism and of the spirit of local self-government. We are constantly confronted with appeals from organizations within the States for the Federal Government to take over functions which belong exclusively to the States. I am not unmindful of the fact that many persons are endeavoring to set up a department of education, the result of which would be that the control of education would little by little pass from the States to a powerful Federal organization. The mania for uniformity too often permeates Government circles and influences the conduct of educated men and women. They are satisfied with nothing less than uniformity—uniformity in political thinking and in the conduct and lives of the people. What is needed now more than ever is independent thinking—courage to resist the unifying forces that seek to compress people into one common mold. Let us have more heterogeneity and less homogeneity. Progress is measured by the extent of deviation from cut and dried policies.

Mr. President, if the Bureau of Education shall continue to expand and multiply its activities it will soon become a formidable force and exercise improper influences in the educational and cultural lives of the American people. The provision which I have moved to eliminate from this bill is a manifestation of this tendency upon the part of this Federal organization. If this provision is accepted the personnel of the bureau will be increased and, of course, the authority of the bureau expanded. Under this provision $350,000 are sought by the bureau, $50,000 to be expended during the next fiscal year, "to make a study of the sources and the apportionment of school revenues." To accomplish this task "specialists and experts" may be employed and their compensation fixed by the Secretary of the Interior. Mr. President, any Senator or the secretary of any Senator can obtain the information sought within a month without leaving the city of Washington. If the Bureau of Education desires to know the "source of school revenue" of the State of Utah or any other State and how the revenues are apportioned and expended, he can obtain the same by writing to the State superintendent of schools or education in that State. The States have educational systems; they have State superintendents who possess information as to the "source of income" and the "apportionment" of the same. The State superintendents of education publish reports annually in which can be found data relating to these questions. Everyone knows that the public schools of the various States are maintained by taxes collected from the people.

Taxes are levied for school purposes as they are for the general expenses of the State and a portion of the total revenue so collected from taxation is set aside for the maintenance of the public schools. Many of the States, in addition to the political government, have a school district which is authorized to levy and collect taxes to supplement those obtained from general State taxation. In other words, the public schools derive their funds from general or special taxes. It does not require a "study" or a multitude of employees in a Federal bureau to inquire from the various States how much they expend for public schools, how much is from general taxation, and how much is supplied from special taxation or assessments.

This provision which I am seeking to eliminate provides that the "office of education," as it is called in the bill, shall also "study the apportionment of school revenues." As to the apportionment of the revenue, a few words only are required to ask for the apportionment which is made by the school authorities in the various States. I repeat that this information could be obtained and classified within a month by any person possessing a high-school education. It does not require a Federal bureau or "experts" at a cost of $350,000 to obtain this information. To me the proposition is absurd and means, of course, more jobs for officeholders and the apparent increased importance of the Bureau of Education.

Mr. President, I have some figures which indicate the voracity of this bureau. Soon after it was organized it asked for only $56,445 to cover all of its activities for one year. A year or two later the demand increased to $62,190. Then the amount was increased to $72,000. A year later the amount was increased to $120,500, and the following year to $135,500. The following year, as I recall, 1918, the appropriation made for the bureau was $139,300. In 1920, $235,745 was appropriated. In addition to these amounts the bureau received large appropriations for educational activities in the Territory of Alaska. For instance, in 1922, $325,000 was placed in the hands of the Federal office of education to be expended for educational work in Alaska. In 1924 the bureau received $644,260, of which sum $455,000 was for the benefit of Alaska. In 1926, $794,495 was appropriated for the office of education, $571,895 of which was to be used by the Bureau for Alaskan Education. In 1928, $921,220 was appropriated, $626,920 of which was for Alaskan education. There was, however, a deficiency of

$76,000 for the same year which was met by an additional appropriation from the Federal Treasury. In 1930, $1,071,940 was appropriated for this bureau, of which amount $771,680 was allocated to Alaska. In 1931, $1,526,331 was appropriated for this bureau, and of this amount $192,451 was to be used by the bureau for the schools in Alaska. The appropriations for the fiscal year 1932 are estimated to be $1,734,390—$1,224,890 being the amount to be expended for education in Alaska. This bureau which was so modest in 1884, and which was satisfied with $56,445, now demands more than $509,000 for the next fiscal year.

So far as I am advised no testimony was offered in the Senate Appropriations Committee in support of this appropriation. In the House Appropriations Committee my information is that Doctor Cooper, the head of the bureau, testified. He referred to some action taken by an educational association favoring the Federal Government obtaining some statistical information and therefore urged an appropriation of $350,000. In my opinion his testimony before the House committee does not justify this appropriation, and as I have indicated, even if this bureau should be authorized to obtain the sources and apportion the school revenues to be expended, it could be done and done well for considerably less than $5,000. Yielding to this request of the head of the bureau is an act of injustice to the taxpayers of the United States. It encourages Federal bureaus to seek larger and too often wholly unnecessary appropriations from the Federal Treasury. It encourages waste and extravagance in the Government and its departments and agencies. Instead of limiting the appropriations we are expanding them and are accepting too often unsupported statements of Federal employees and officials as the basis for taking from the Treasury large sums wrung from the people by oppressive taxation.

I repeat, Mr. President, it is absurd to say that the State of New York, or any other State, does not know where its public-school system obtains its money and the manner in which the funds obtained are apportioned to the various parts of the States. Every State superintendent of education knows the expenditures for education; the amount which each county or school district expends and the source from which the amounts expended are derived.

This bureau, Mr. President, obtained, a year or so ago, without any apparent effort, an authorization of $225,000 to study the "organization, administration, financing, and work of secondary schools and of their articulation with elementary and higher education," and this bill carried $75,000 of the authorized amount. It also states that the unexpended balances, as I assume, of $225,000 authorization for the fiscal years 1930 and 1931, are to remain available for the same purposes for which the $75,000 carried in the bill are appropriated. It is apparent that the rather unimportant services to be performed under this appropriation are made to be rather impressive by the high-sounding words which I have quoted; that is—

* * * to make a study of organizations, administration and financing, and work of secondary schools, and of their articulation with elementary and higher education. * * *

This work could be performed within a limited time by two or three competent educators, but $225,000 must be obtained and specialists and experts must be had; bureaucracy must be deified and in the process of deification the Treasury must be made to yield its golden funds. But this bill also carries an appropriation authorizing not to exceed $200,000 to be expended by the office of education to "study the qualifications of teachers in the public schools and the supply of teachers and the facilities available and needed for teacher training, including courses of study and methods of teaching." Eighty thousand dollars are directly appropriated for this work and "specialists and experts" are to be employed for this great(?) undertaking. The bill, it will be observed, carries a direct appropriation of $200,000 for these three items to which I have referred under authorizations aggregating $775,000.

Mr. President, the demands found in these three provisions, in my opinion, should not be granted. They constitute an unwarranted draft upon the Treasury of the United States and add to the burdens of taxation which the people are compelled to meet. The information sought by these three provisions could be obtained and the necessary studies could be made for an appropriation of less than $50,000. I protest against the extravagant demands in this bill. Mr. President, I would be warranted in moving to strike out the appropriations carried in these three paragraphs, but I am limited by my motion and challenge the last provision of the three.

Mr. SMOOT. Mr. President, I do not know that it will do any good to call attention to the facts in this case, but the National Council of State Commissioners of Education spent one whole session of over half a day considering this question. It was not the bureau which recommended this at all; it was the National Council of State Commissioners of Education, and after long deliberation on the question as to whether this amount should be asked for or not.

The estimates submitted are in accordance with the plan for the completion of this study in a 4-year period; in other words, for each of the next three years there is to be an expenditure of $100,000, and $50,000 that provides for the coming year, 1932. It is a 4-year program. It is stated by the National Council of State Commissioners of Education that they want this plan adopted so that they will know just what study they can make and how far they can go.

If the Senate does not want to give this appropriation to them, let it be cut out.

The PRESIDING OFFICER (Mr. ODDIE in the chair). The question is on agreeing to the amendment offered by the junior Senator from Utah [Mr. KING].

On a division, the amendment was rejected.

Mr. WHEELER. Mr. President, I desire to offer an amendment, to which I think the senior Senator from Utah will have no objection. It is on page 70, between lines 15 and 16, to insert the following language:

For the construction of roads on the Blackfeet Indian Reservation in the State of Montana, $60,000, to be immediately available, and to be expended under such rules and regulations as the Secretary of the Interior may prescribe.

And also the language:

For the construction of roads on the Rocky Boy Indian Reservation in the State of Montana, $40,000, to be immediately available, and to be expended under such rules and regulations as the Secretary of the Interior may prescribe.

I call attention to the fact that the authorization for these two roads has previously passed the Senate. At the present time the authorization is in the Committee on Indian Affairs in the House, so that no point of order could be raised, and the Senate has already voted the authorization for these two amounts.

The $40,000 for use on the Rocky Boy Reservation is for a road that is used almost entirely by Government officials and by those who have to go onto the reservation on business, or by Indians who are sick to come to the town of Havre, Mont. The county commissioners of Hill County are perfectly willing to build their portion of the road up to the reservation, but they feel that the Government itself should build the road on the reservation.

There is no appropriation available at the present time for this particular road. There are no roads on this Rocky Boy Reservation at the present time at all; and when an Indian is sick, the Indian doctor living in Havre, Mont., has to go 40 or 50 miles over a country where there are no graveled roads or anything of the kind. This road would give them an opportunity to get onto the Rocky Boy Reservation on a graveled road, because the county is willing to build the road up to the reservation and expects the Government to build the road on the reservation.

The other appropriation is likewise on the Blackfeet Reservation. It will be recalled that when the last Interior Department appropriation bill was before the Senate I called attention to the fact that the department itself recognized the need of both these roads. While they finally stated that they did not recommend the adoption of the amendments, the Superintendent of the Blackfeet Indian Reservation pointed out the necessity of the roads and the benefits to the

Indians. If these amendments are enacted it will give employment to these Indians, who are in a very serious condition at the present time.

Mr. SMOOT. Mr. President, there is a great deal more virtue in these two amendments than in the ones the Senate has already agreed to; so I am not going to object to them.

The PRESIDING OFFICER. The question is on agreeing to the amendments.

The amendments were agreed to.

Mr. WHEELER. Mr. President, there is one other amendment I desire to propose, with reference to the appropriation of $25,000 for a high-school building at Frazer, Mont., and $50,000 for the betterment of a high-school building at Poplar, Mont.

The PRESIDING OFFICER. The amendments will be stated.

The CHIEF CLERK. On page 53, after line 2, to insert:

For the purpose of cooperating with the public school board of district No. 2, town of Frazer, Valley County, Mont., in the construction of a public high-school building at Frazer, Mont., $25,000: *Provided*, That the expenditure of such sum shall be subject to the express condition that the school maintained by the said school district in said building shall be available to all Indian children of the Fort Peck Indian Reservation, Mont., on the same terms, except as to payment of tuition, as other children of the said school district: *Provided further*, That such expenditure shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

For the purpose of cooperating with the public school board of district No. 9, town of Poplar, Roosevelt County, Mont., in the extension and betterment of a public high-school building at Poplar, Mont., $50,000: *Provided*, That the expenditure of such sum shall be subject to the express condition that the school maintained by the said school district in said building shall be available to all Indian children of the Fort Peck Indian Reservation, Mont., on the same terms, except as to payment of tuition, as other children of the said school district: *Provided, further*, That such expenditure shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

Mr. SMOOT. All I have to say is that I do not think we ought to agree to the amendment. If the Senator offers it and the Senate votes to put it in, well and good. I will not make a point of order against it. I know the whole situation.

Mr. WHEELER. Mr. President, this is a very meritorious amendment. The man in charge of schools in the department, Mr. Thompson, tells me that he is in favor of it.

The situation is this: Roosevelt County, in eastern Montana, is almost entirely taken up by the Fort Peck Indian Reservation. The Indian children go to the white school on the reservation. By reason of the fact that there is so much of the Indian reservation in Roosevelt County, the county itself finds it impossible to build school facilities sufficient to take care of the Indians. They are perfectly willing that the Indian children should go to the public schools, and the superintendent of public schools there is an extremely high-class man, who is interested in the education of the Indians; who is going out of his way to do everything under the sun he can do for the education of the Indians, urging them to come to the public schools. But by reason of the fact that so many of the Indian children are attending the public schools, and particularly the high schools, it is impossible for the county to build the accommodations that are needed. They are perfectly willing to spend half of the money needed for the public schools, but they feel that the Government should contribute some money to it.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SHORTRIDGE. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 87, line 18, strike out the word "only," and on page 87, line 19, after the word "municipality," insert:

Provided further, That if any State or municipality which has entered into cooperation during the fiscal year ending June 30, 1932, shall cancel or withdraw the whole or part of its funds, the unused balance of the Federal allotment shall be available for mapping national forests, national parks, or other Federal projects.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SHORTRIDGE. Mr. President, I beg to have printed in the RECORD immediately following the action of the Senate, a letter addressed to me by the Secretary of the Interior, and also a letter addressed to me by the American Engineering Council.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE INTERIOR,
Washington, December 22, 1930.

Hon. SAMUEL M. SHORTRIDGE,
United States Senate.

MY DEAR SENATOR SHORTRIDGE: In reply to your letter of December 16 relative to the bill making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, I respectfully submit the following answers to your questions:

1. To what extent are the provisions of the Temple Act being carried out? Have any appropriations been made under this act?

All appropriations made directly to the Geological Survey for topographic mapping are carried in the Interior Department appropriation acts in the item "for topographic surveys"; the language under this item includes no reference to the Temple Act. Topographic mapping is being carried on as rapidly as permitted by the appropriations thus made available by Congress and as cooperative funds are offered by States. The Federal appropriations have been less than the amounts which, when the Temple bill was under discussion, were estimated as required to complete the project in 20 years.

2. Do any other branches of the Federal Government make topographic surveys? If so, are the maps of such standard of accuracy as to be used by the Geological Survey in the topographic mapping of the United States?

The Corps of Engineers, United States Army, makes topographic surveys throughout the United States and its possessions to meet their specific needs in connection with the engineering activities carried on under the various district engineers. With few exceptions, the topographic data are secured by methods which are considered inadequate to insure results (especially those pertaining to relief) sufficiently accurate to be incorporated in the standard topographic map of the United States.

The Coast and Geodetic Survey executes topographic surveys adjacent to the coast line in connection with the preparation of nautical charts. The maps resulting from these surveys are of a standard of accuracy required by the Geological Survey and are incorporated in the standard topographic map of the United States.

The United States Forest Service makes reconnaissance topographic maps of the national forests and, when administrative purposes require, detailed topographic surveys of small areas. The reconnaissance surveys are not sufficiently accurate for incorporating in the standard topographic map of the United States, but the maps resulting from the detailed surveys of small areas are used. No topographic mapping would be done by the United States Forest Service personnel if Congress made available sufficient funds for the Geological Survey to do standard topographic mapping in all the areas in which the Forest Service has needs.

3. To what extent has the Geological Survey been engaged in topographic mapping of the Mississippi River in connection with the study of flood control?

The Geological Survey has recently been requested by the War Department to map approximately 1,800 square miles in Missouri; 3,200 square miles in Mississippi; 900 square miles in Louisiana. This work will be financed by War Department funds. The remaining area, approximately 25,000 square miles, is being topographically mapped by the Army civilian personnel under the direction of the various district offices of the Corps of Engineers.

4. If appropriations for topographic mapping were increased, will there be any difficulty in securing the necessary engineers to take care of the increased work?

Increased appropriation for topographic mapping will necessarily require increasing the engineering force of the topographic branch of the Geological Survey. These engineers are obtained through the civil-service examinations, and the necessary personnel can be secured with reasonable rapidity if assurance can be given such engineers that the expanded program will be continued so that they can rely on steady employment. Without reasonably definite assurance of increased annual appropriations for topographic mapping the Geological Survey would not be justified in increasing its personnel; it requires several years to perfect the new appointees in the art of topographic mapping, and if funds ceased to be available for retention of these engineers large sums used in training them would be wasted.

5. What provision is there for revision of culture on topographic maps with the view of keeping maps up to date?

The appropriation for topographic mapping makes no specific provision for the revision of culture on older topographic maps. The earlier maps were made at a time—some of them 40 years ago—when the standard of accuracy was not as high as is now considered necessary for engineering purposes; these will require in some cases a resurvey and in all cases a revision of the culture from time to time. In fact, the culture on all topographic maps

should be revised at least once in 10 years to insure the information on the maps being kept reasonably up to date. This revision could be accomplished at a minimum cost by use of aerial photographs.

6. What portion, if any, of the Federal funds appropriated for 1931 fiscal year and restricted to meet cooperative funds presented by States or municipalities have been canceled or withdrawn for one reason or another?

During the past year three States notified the Geological Survey that they had funds appropriated with which to enter into cooperation for topographic mapping during the fiscal year 1931, and plans were made and funds were set aside from Federal appropriations to meet such cooperation. The State of Kentucky appropriated $100,000 for this purpose, but later in the year after work had been begun, the State attorney general ruled that the funds were not available for this purpose. The State of Michigan entered into cooperation with the Geological Survey and appropriated $15,000, but later, after work had progressed for several months, found that sufficient funds were not available to continue the cooperation. The State of Oklahoma, through its highway department, offered $15,000, which was later canceled because sufficient funds were not available to carry out the original agreement.

7. Could such unused Federal funds restricted to meet State cooperation be used to advantage in topographic surveys in national parks, national forests, and other Federal mapping needs if made available for that purpose?

The 1931 Interior Department act carries an appropriation of $744,000 for topographic surveys in the various portions of the United States, providing that $534,000 of this amount shall be available only for cooperation with States and municipalities. This amount reserved for cooperation was based on the amount for cooperation which the various States had either appropriated or assured the Geological Survey would be available during the year 1931. The failure of any of the anticipated State cooperation through cancellation or withdrawal of their funds for one reason or another prohibits the use of an equal amount of Federal funds for topographic mapping notwithstanding the fact that the Geological Survey had made its plans and organized its personnel for the expenditure of the combined State and Federal appropriations. That part of the Federal funds set aside to meet State cooperation which will lapse if the State cooperative funds for any reason failed to become available could be used to great advantage in the survey of national parks, national forests, and other Federal areas, if the Congress wishes to make them available for such use and in case they are not reappropriated for still other purposes.

8. Has the peak in the amount of State cooperation offered for topographic mapping purposes been reached? What is the present amount offered?

There are nine States which have been completely mapped topographically, and at the present time 26 States are cooperating with the Geological Survey with the view of completing topographic mapping within their borders. Mapping in a number of these States will be completed in the near future, and the cooperative funds in those States will then cease to be available, except for any sums that may be offered later for revision. However, it is expected that other States which are not now cooperating with the Geological Survey will do so at some time in the future, but the total amount of funds made available annually by the States will not greatly exceed the amount of approximately $550,000, which is now being offered by the cooperating States.

Very truly yours,

RAY LYMAN WILBUR.

AMERICAN ENGINEERING COUNCIL,
Washington, D. C., December 17, 1930.

Senator SAMUEL M. SHORTRIDGE,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR SHORTRIDGE: In compliance with my promise to you, I am herewith submitting data relative to the topographical mapping situation as applied to California:

Total land and water area in California, 158,297 square miles.

Public lands area in California as follows:

	Square miles
Public domain	30,666
National forests	29,643
National parks	1,505
Untaxed Indian lands	626
	62,440

This represents 39.4 per cent of the area of the State.

Total area mapped to June 30, 1930, is 128,875 square miles, or 81.4 per cent, of which approximately 84,385 square miles, or 53.3 per cent, is inferior in character and quality and should be resurveyed and 28.1 per cent is of standard quality.

Very sincerely yours,

B. R. VAN LEER, *Assistant Secretary.*

Mr. BRATTON. Mr. President, I offer an amendment, on page 43, line 8, following the numerals "$53,000" and the semicolon, to add the words "Albuquerque, N. Mex., girls' dormitory, $90,000."

The amendment was agreed to.

Mr. KING. Mr. President, I call the attention of my colleague to an amendment which I propose, on page 22, at the end of line 3, add the following proviso:

Provided further, That no part of such sum of $255,500 shall be paid for expenses incident to the selling of timber, including the expenses of administration in connection therewith, in excess of 3½ per cent of the gross receipts derived from the sale of timber from the Klamath Reservation.

If my colleague will accept that amendment——

Mr. SMOOT. Let it go in.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KING. Mr. President, as justification for this amendment I desire to offer, and ask to have printed in the RECORD, a memorandum which has been handed to me by representatives of the Klamath Tribe, Mr. and Mrs. Crawford, which sets forth the fact that less than 3½ per cent of the gross receipts are required for handling the timber that is obtained from this reservation.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

THE 8 PER CENT DEDUCTION OF TIMBER RECEIPTS

The act of February 14, 1920 (41 Stat. L., p. 415), authorizing and directing the collection of fees for work done for the benefit of Indians, provides that a "reasonable fee" shall be deducted for the administration of the forest.

The Indian Bureau arbitrarily set the fee as 8 per cent, justifying for this amount with the information that the 6 per cent fee that had been charged in the Lake States was inadequate; hence the fee had been raised to 8 per cent and made uniform throughout the service.

The act authorizes a "reasonable fee" to be deducted. The cost of timber-sale supervision at the Klamath for years averaged below 3½ per cent of the gross receipts from the sales of timber, as testified by Inspector Trowbridge, of the Indian Bureau, on page 11 of his report on Klamath timber, dated August 27, 1928.

Disregarding this fact shown by its own records, and withholding the facts from Congress, the Indian Bureau has continued and proposes to continue, to deduct 8 per cent from the gross proceeds of timber sales. Possessing itself of the 8 per cent deduction, the Indian Bureau has, through successive years, accumulated a balance in "Miscellaneous receipts" in the Treasury of the United States which has lost its identity to Klamath.

Between the years 1920 and 1926 an unexpended balance of the "reasonable fee" deducted by the Indian Bureau for the expenses incident to the administration of the Klamath Forest had been accumulating in the superintendent's accounts at the agency, known as "Expense, account timber." In 1926 the Comptroller General ruled that this balance should be placed in the Treasury of the United States as "Miscellaneous receipts."

A letter from the Comptroller General of the United States—title, Indian Funds—to the United States Senate, Seventieth Congress, second session, Document No. 263, page 120, states:

"Regardless, however, of the origin or source of the money appropriated, the objects for which the funds may be expended are generally the same with one important distinction: The appropriations made from tribal moneys are identified with the tribe, agency, or school on account of which the money was first received, and the same is true of appropriations made pursuant to treaty obligations, but the gratuitous and reimbursable appropriations are made for general or specific purposes and can not therefore be identified with a particular tribe. If the tribe is to be regarded as a unit, the basis on which money is appropriated might be given consideration to the end that a simpler method may be adopted that will make for more efficient and economical disposition of funds by the administrative officer, and a more satisfactory audit by the General Accounting Office, and furnish the Congress with a clearer picture of the purposes for which moneys are requested and the ultimate application of moneys appropriated."

We have pointed out elsewhere that in many instances the agency budget and the forestry budget are identically used. We believe, in the interests of the Indians, that all tribal funds of every source should be deposited in the Treasury of the United States to the credit of "Indian moneys, proceeds of labor," and direct and specific appropriations therefrom be made in every instance. The Congress would then be fully informed as to the actual amounts expended on the Klamath Reservation by the Bureau of Indian Affairs.

We consider the action of the Bureau of Indian Affairs in this connection to be a violation of the law; in deducting an "unreasonable" instead of a "reasonable fee," as required by law. Captain Trowbridge, of the Interior Department, on August 27, 1928, page 11, states:

"The average per cent of cost for forestry operations through the 5-year period was less than 3½ per cent and leaves a margin for sufficient funds for road construction." Since 1928 the bureau did its utmost to absorb the entire 8 per cent by building roads and enlarging the forestry personnel.

Mr. KING. I also ask to have inserted in the RECORD a statement from the Trowbridge report, as follows:

The average per cent of cost of forestry operations the last 5-year period was less than 3½ per cent and leaves a margin for sufficient

funds for road construction. During the past 18 months roads have been constructed through timbered areas with agency funds, and this is objected to by the Indians. The total thus expended for 13 miles of roadway was $24,952, which included 6 miles on the Kirk Roadway, where there is very little travel, and beneficial largely for fire protection (p. 12).

Inspector Trowbridge made a careful study of the timber operations in the Klamath Reservation, and his report proves that the Klamath Indians have been deprived of a considerable sum each year which they were entitled to from the sales of timber taken from their lands.

Instead of deducting 3½ per cent from the gross sales of timber, 8 per cent, or approximately $20,000, each year for a number of years was diverted from their funds and either expended for unauthorized purposes or placed in a fund from which it will probably not be separated.

Mr. President, on the 19th of November, 1928, Mr. Meritt, who was then Assistant Indian Commissioner, presented the request of the bureau for $210,000 for supervision of timber sales and stated that the timber sales for 1927 totaled $2,539,315. No information was given, as I am advised, that timber sales from Indian lands in the course of seven years had averaged 5.1 per cent of the gross receipts. In other words, he asked for $210,000 for timber administration, though the cost of administering the timber activities was very much less.

Mr. President, from the report of the subcommittee, consisting of Senators FRAZIER, PINE, WHEELER, LA FOLLETTE, and THOMAS of Oklahoma, with respect to the administration of the timber upon the Klamath Reservation, I read as follows:

The subcommittee finds an extravagant administration, both of the agency activities and the timber supervision, carried on by the Indian Bureau.

I ask that the entire report, because it is instructive and illuminating, be inserted in the RECORD as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The report is as follows:

[Report No. 158, Seventy-first Congress, second session]

INVESTIGATION OF INDIAN AFFAIRS

Mr. WHEELER, from the subcommittee of the Committee on Indian Affairs, submitted the following preliminary report (pursuant to S. Res. 79, 70th Cong.):

On the 1st day of February, 1928, the Senate of the United States adopted the following resolution:

"*Resolved*, That the Committee on Indian Affairs of the Senate is authorized and directed to make a general survey of the conditions of the Indians and of the operation and effect of the laws which Congress has passed for the civilization and protection of the Indian tribes; to investigate the relation of the Bureau of Indian Affairs to the persons and property of Indians and the effect of the acts, regulations, and administration of said bureau upon the health, improvement, and welfare of the Indians; and to report its findings in the premises, together with recommendations for the correction of abuses that may be found to exist, and for such changes in the law as will promote the security, economic competence, and progress of the Indians.

"Said committee is authorized to send for persons and papers, to administer oaths, to employ such clerical assistance as is necessary, to sit during any recess of the Senate, and at such places as it may deem advisable. Any subcommittee, duly authorized thereto, shall have the powers conferred upon the committee by this resolution."

Thereafter, and on the 13th day of April, 1928, the following subcommittee was duly appointed and designated by the Senate Committee on Indian Affairs to carry out the provisions of said resolution consisting of the following Senators: LYNN J. FRAZIER (chairman), W. B. PINE, ROBERT M. LA FOLLETTE, Jr., B. K. WHEELER, and ELMER THOMAS.

Senator STEIWER (Oregon), in pursuance to the provisions of said resolution and the designation of the Senate Committee on Indian Affairs, participated as a member ex officio of said subcommittee at the hearings which were held at Washington, D. C.

Pursuant to said resolution and within the limits of its authority the subcommittee has made an investigation of the conditions existing upon the Klamath Indian Reservation, timber control, health, education, law enforcement, Indian Service personnel on the reservation, and, in addition, various alleged abuses.

The committee has had at its disposal a series of reports dealing with the Klamath Indian Reservation made by Inspector Trowbridge, of the Indian Bureau, in 1928 and 1929, also a report made in 1928 by a staff of irrigation advisors appointed by the Secretary of the Interior.

FINDINGS AND RECOMMENDATIONS

The subcommittee finds:

An extravagant administration both of the agency activities and the timber supervision work carried on by the Indian Bureau.

An excessively high and rapidly increasing overhead cost at the reservation. This cost, for a reservation containing 1,275 Indians, has increased as follows:

1926	$175,321.74
1927	210,061.11
1928	270,070.12

The above sums were taken wholly from the tribal fund of the Klamath Tribe, derived chiefly from timber sales.

The total gross revenue of the tribe has been as follows:

1926	$1,250,428.96
1927	1,118,115.06
1928	1,234,115.32

The percentages of the tribe's gross revenue used for reservation costs were as follows: 1926, 14 per cent; 1927, 19 per cent; 1928, 22 per cent.

Uncontradicted testimony shows a continued increase of total reservation cost and of the ratio of cost to gross income from all sources, through the fiscal year 1930 and into the Budget estimates of the Indian Bureau for 1931.

These expenditures were wholly distinct from any per capita payments or other payments to individual Indians from the tribal revenues.

Protection has been extended by Superintendent Arnold to various employees whom the subcommittee finds gravely at fault.

The subcommittee finds that C. R. Trowbridge, inspector of the Indian Bureau, has reported that the financial clerk, T. W. Wheat, exercises a practical dominance over the superintendent, L. D. Arnold, and that Mr. Trowbridge has recommended the transfer of T. W. Wheat away from Klamath Reservation. This recommendation has not been heeded by the Commissioner of Indian Affairs.

The Modoc Point irrigation project built at a cost of nearly $200,000 taken from Klamath tribal funds is a complete failure for Indians and whites alike.

At least through the year 1928 the reservation hospital, maintained from tribal funds, was boycotted by practically all the Indians because of the inefficiency of the doctor in charge. This doctor was supported by Superintendent Arnold and was even reemployed by Superintendent Arnold after having resigned under criticism.

The subcommittee finds an extreme laxity in the handling of grazing permits on the reservation and in the control of the grazing range, which is leased to outside sheep owners without tribal consent and in the face of tribal protest, although the law requires tribal consent before such permits are issued. The subcommittee finds that Mr. Trowbridge reported that Grazing Supervisor Wiley, supported through thick and thin by Superintendent Arnold, was probably dishonest in his operations, although conclusive legal proof was wanting.

The experimental farm maintained at the reservation is a complete failure, indeed a mere extravagant pretense; but the superintendent has continued to urge appropriations from the tribal funds for maintaining this acknowledged failure.

The Five-Mile sawmill should be abandoned. It is run at a continuous loss to the tribe, while at the same time no Indian is given employment, only whites being employed.

No Indian is employed as permanent employee in the entire Indian Bureau force of the Klamath Reservation, although the Indian Bureau pay roll, met from Klamath tribal funds, exceeds $160,000 a year, with approximately 50 permanent employees.

The subcommittee finds that Inspector Trowbridge reports the number of employees in the forestry branch to be excessive, and, further, that he reports:

"Gross ignorance of the regulations both in the forestry and the agency branches."

Indian Bureau employees in the Forestry Service have received pay from the logging companies whose operations they were supposed to be regulating. These employees are still in Indian Bureau employ on the reservation. The facts were reported to the Indian superintendent by Inspector Trowbridge in 1928.

The subcommittee has visited the Klamath Reservation, has seen these Indians, and has taken testimony relating to their conditions. The subcommittee found them to be above the average tribe in education. The tribe pays all of the salaries of the Indian Bureau employees from the superintendent down, and the property which is being administered by Superintendent Arnold and his subordinates is exclusively the property of the Klamath Indian Tribe and its individual members.

The reports of Inspector Trowbridge, of the Indian Bureau, and the testimony of numerous witnesses at Washington, Klamath Falls, Oreg., and Riverside, Calif., heard by the subcommittee, demonstrate conclusively that a serious conflict has gone on for years and is now going on between Superintendent Arnold and the Klamath Tribe. This conflict the subcommittee finds to be due, first, to an extravagant and extraordinarily inefficient administration by the superintendent, and second, to the efforts of the superintendent and certain of his subordinates to block the expression of the tribal will, to interfere with elections, and with the conduct of the tribal council and to discredit the Indians.

The Indian Bureau pay roll for reservation salaries on the Klamath Reservation has increased as follows:

1926	$122,019.42
1927	141,097.76
1928	156,774.61

Every Klamath Indian—man, woman, and child—contributed, in 1928, $123.50 for Indian Bureau agency salaries alone, leaving out of account the additional payments for agency automobiles and conveniences and timber supervision activities, which brought the Klamath tribal contribution to $270,000 in 1928, or a tax of $213 on each man, woman, and child of the tribe. Such a tax would be impossible as a levy on any white community.

The testimony before the subcommittee established the fact that this levy does not procure for the Klamath Indians more than a small fraction of their education. For their education they must and do turn to the State of Oregon. During a term of years the levy did not procure health service for the Indians, because of the retention of Doctor Rogers as reservation and hospital physician, while the Indians boycotted him and privately paid for their medical services at Klamath Falls. The reports by Inspector Trowbridge in this detail were fully corroborated in testimony taken by the subcommittee at Klamath Falls and at Riverside, Calif., and in Washington, D. C.

Testimony before the subcommittee, which was not controverted, further established that this levy against the Klamath tribal fund did not procure social service or agricultural guidance for the members of the tribe. The Klamath Tribe, although paying a per capita tax at least twice or more as great as the per capita aggregate of taxes in white communities appeared, from the testimony, to be receiving actually less of service than the surrounding rural communities of Oregon, inasmuch as the jurisdiction of the State does not extend to the reservation, while the Indian Bureau services were nonexistent with respect to some needs and extremely ineffective with respect to other needs.

Much testimony was given both before the subcommittee at Klamath Falls and in Washington dealing with the decline of the Indians' cattle business and the substitution of sheep grazing, alleged to have destroyed portions of the range and to be injuring substantially the whole range. The allegations of witnesses were supported by the reports of Inspector Trowbridge, who, as already stated, further alleged extreme looseness, and intimated the existence of corrupt practices in the matter of the granting and regulation of sheep-grazing permits. The evidence shows a consistent policy of breaking down the self-support of the Klamath Indians through the cattle industry and of expropriating their range for the use of outside sheepmen, pursued down to and including the present year.

From the evidence taken the subcommittee is convinced that there has been a decided lack of cooperation on the part of Superintendent Arnold and Financial Clerk Wheat with the Indians; that these officials have ignored the wishes and regards of the Indians; that they have been extravagant with the money and wasteful of the property entrusted in their supervision; that the great majority of the Klamath Indians have lost all confidence in their officials, thus making it impossible to have anything like a satisfactory situation.

The attempted justification by the Indian Bureau witnesses of the retention of Superintendent Arnold and Finance Clerk Wheat at the Klamath Reservation was, in the judgment of the subcommittee, wholly unconvincing. Their retention in the Indian Service in any capacity appears to the subcommittee as a highly doubtful procedure, but their continuance at the Klamath Reservation appears to the subcommittee indefensible.

The earliest and fullest of the reports of Inspector Trowbridge to the Commissioner of Indian Affairs was delivered August 27, 1928. This basic report, and a long series of supplementary reports, have remained unheeded with respect to all of their main recommendations, and no indication has been given by the Indian Bureau witnesses before the subcommittee of any present intention of executing the Trowbridge recommendations.

The report of the advisers on irrigation on Indian reservations to the Secretary of the Interior, which has now reposed in the files of the Indian Bureau since June, 1928, has now been incorporated in the record of this subcommittee. It deals extensively with the Klamath Reservation, but has apparently received even less attention, if possible, than the Trowbridge reports. This irrigation report deals not only with the Modoc Point irrigation project but with other irrigation projects on the Klamath Reservation which have been built at the expense of the tribe and which are partial or complete failures.

The subcommittee recognizes the fact that the present commissioner and assistant commissioner have been in office only since July 1, and that they are in no way responsible for the policies or actions of their predecessors, yet, in consideration of the inherent rights and the welfare of the Indians, the subcommittee is convinced that decisive action must be taken and a determined policy must be put into operation at once in order to correct deplorable existing conditions.

Respectfully submitted.

LYNN J. FRAZIER, *Chairman.*
W. B. PINE.
B. K. WHEELER.
ROBERT M. LA FOLLETTE, Jr.
ELMER THOMAS.

Mr. KING. Mr. President, this report dealing with the Klamath Reservation reveals the inefficiency, to put the case mildly, of the Indian Bureau. While it deals solely with the Klamath Reservation, we have learned sufficient from the testimony taken by the committee dealing with other reservations to discover that the same inefficiency and waste characterizing the work of the Indian Bureau upon the Klamath Reservation apparently exist on other reservations. The report shows that while the resources of the Indians are diminishing, the cost of operating the reservation is increasing. In 1926 the report shows the cost for the reservation was $175,321; in 1928 it was $270,000. Undoubtedly the enormous cost of administering the affairs of this reservation, in part at least, is due to the fact that the Indians derive funds from the sale of timber from their lands, from which the bureau can meet administration charges. The Klamath Reservation contains rather important bodies of timber, but under the incompetent administration of the Forestry Division of the Indian Bureau these lands will be denuded of their timber within 10 or 15 years under present policies. I have before me considerable data showing that contracts with lumbermen have been entered into which are disadvantageous to the Indians and are not calculated to conserve the timber or protect the interests of the Indians. Tens of thousands of dollars have been expended needlessly for roads, some of which were largely, if not wholly, for the benefit of the contractors and not for the benefit of the Indians.

I have before me also statements showing that improper contracts have been made, some of them having a life of 17 years. It was claimed by the Indian Bureau that contracts against which protests were lodged by the Indians were made because it was important that the timber be cut immediately. There are instances where, notwithstanding these claims, two or more years have elapsed without any effort being made to cut timber on the lands covered by the contracts. The bureau has also, over the protest of the Indians, made contracts at times when, because of the rather depressed condition in the timber market, it was highly disadvantageous for the contracts to be made.

A resolution was adopted by the Klamath Indians in December, 1928, requesting the Secretary of the Interior and the Commissioner of Indian Affairs to withdraw from sale five units of timber advertised for sale in the newspapers in Klamath County because of the long-term contracts, the Indians assuming all risks, and because large sums of money had been taken from the tribal funds for the maintenance and fire protection, for the building of roads, and for the maintenance of the forest lands generally. It was also urged in the resolution that placing so many units on the market at one time, while seriously depleting the timber reserves, naturally resulted in a minimum price because there would be an absence of competition. The request was made that the timber should not be sold until it would bring the highest market price. This resolution was ignored by the Indian Bureau, as were other requests by the representatives of the Indians for the protection of their property and for the prudent management of their resources.

The committee's report also refers to the irrigation project which cost $200,000, the entire amount taken from the tribal funds of the Indians. The project is declared to be a complete failure for the Indians and whites alike. I hope that Senators will examine this report. It is a condemnation of the Indian Bureau in its treatment of the Klamath Indians.

Mr. President, I invite the attention of Senators to a large map which I exhibit. It shows a vertible network of highways constructed through the forest reserves of the Klamath Reservation. These roads are nearly 1,000 miles in length. The building of some of them was wholly unnecessary and the cost of all was in excess of what was reasonable and legitimate. No small proportion of the roads are largely, if not wholly, for the benefit of the lumber contractors who should have built them. In my opinion, based upon information brought to my attention, the large expenditures upon these roads was without justification.

I also have before me volume 1 of the report made by Mr. Lee Muck, forest engineer of the Indian Bureau. Speaking of the diminishing timber reserves, he says:

There appears to be every reason to believe that the history of the Lake States and that of the southern pineries is about

to repeat itself in the Klamath district and that unless conservative control measures are instituted the next few years will witness the permanent devastation of these vast resources, the passing of the chief industry of the locality, and the economic demise of the community.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. SMOOT. Mr. President, on page 64, line 25, my record is that the total of $60,000 was not changed. It should be changed to $60,900. I ask unanimous consent that that change be made.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRAZIER. Mr. President, I offer the following amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 61, line 20, strike out the words "reimbursable to the United States, as provided in the act of February 14, 1920 (U. S. C., title 25, sec. 413)" and insert a period.

Mr. FRAZIER. Mr. President, that is similar to the amendment offered by the Senator from Oklahoma [Mr. THOMAS] a short time ago and agreed to, in that it strikes out the reimbursable feature of the money from the Quapaw Indian Reservation. The department state that they have tried several times to have it stricken out, but without success; that there is no money available out of which any reimbursable charge could be paid. There are three or four reservations taken care of. There are a few individuals among the Indians who own the mining property, but it would be unfair to charge it to their property, and, of course, it should not be done.

Mr. SMOOT. The bureau never will be able to collect it, anyway.

Mr. FRAZIER. Then what is the use of having it in the bill?

Mr. SMOOT. I have no objection to the amendment, because we have never been able to collect any such moneys. There are some mining men from whom we could collect it, but we have never done it. Therefore I have no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. FRAZIER. I now offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 60, line 24, insert the following:

Provided, That no part of the moneys appropriated for this act shall be used for the payment of the salary or expenses of Herbert D. Hagerman, designated as special commissioner to negotiate with Indians, Santa Fe, N. Mex.

Mr. FRAZIER. Mr. President, there is a duplication in many of the appropriations for the Indian Bureau. In this particular instance there is an appropriation out of the Northern Pueblo fund of $6,500 for salary for Mr. Hagerman and $2,500 for expenses as a sort of general superintendent for a tribe in New Mexico and Arizona. There is a superintendent there who has the same duties to perform and over the same territory. His designation is superintendent for that district. It is a duplication. Mr. Hagerman is an ex-governor of the Territory of New Mexico. He was removed from office by President Roosevelt as soon as Roosevelt came into office. When Mr. Fall was Secretary of the Interior there were some oil leases to be made in the State of New Mexico and Mr. Hagerman was given an appointment as special commissioner to negotiate with the Indians.

According to the information I have, and I believe it is authentic, the first deal of ex-Governor Hagerman was with the Navajo Indians for an oil lease. That was a lease for what were known, I believe, as the Snake Oil Lands, although I have forgotten the exact title. The lease was made for $1,000. Within a year's time that identical lease was sold for $1,000,000 to the Continental Oil Co. I suppose some men would say that a man who could pull off a deal of that kind is entitled to a job on the Government pay roll for life, but I do not believe it, or that such a man should be carried on the Government pay roll at all. In plain language, he is, in my estimation, a political fixer for the Indian Bureau in those two States.

There was organized a tribal council among the Navajos for the bureau. Assistant Commissioner Scattergood made the statement that the council functions admirably, because there is no dissension among the Indians. Hagerman tried to organize some kind of a council among the Northern Pueblos and failed to do it, although in the bill there is included an item of $300 for expenses for the Northern Pueblo council which never has met since the present commissioner has been in office.

I ask for a vote on my amendment.

Mr. SMOOT. Mr. President, I simply want to say that this is the first time I ever heard of such a condition. It has never been brought to the attention of the committee. No one has ever suggested such a thing in the past. If it is a fact, we would not want to appropriate for it. Therefore, I have no objection to the amendment being agreed to, and the matter will be investigated.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Dakota.

The amendment was agreed to.

Mr. KING. Mr. President, may I ask the Senator from North Dakota if he intends to offer an amendment providing that no part of the appropriations carried in the bill shall be used for the payment of the expenses of the council to which the Senator referred? That council is only in embryo; it exists only in the minds of Mr. Hagerman and other bureau officials.

Mr. FRAZIER. I have no amendment providing for it, but there is a provision, according to the hearings in the House, for $300 for expenses for the so-called council.

Mr. KING. My information is that Mr. Hagerman attempted to have the Pueblo Indians join in a council organization effect, called the United States Council, or some such high-sounding name.

The Pueblo Indians have had an organization for many years which functions admirably and which has their confidence. It has been a thorn in the side of the Indian Bureau because the Indians in that council and its activities have resisted efforts of the Indian Bureau to bring them under the control of the bureau to an extent which would be in restriction of their rights. Mr. Hagerman tried to get them to organize a new council. The chiefs came and listened to his statement and refused. Subsequently he again attempted to effect an organization, but failed, and later Mr. Meritt went, but his efforts were as unsuccessful as Mr. Hagerman's. The Indians distrusted the Indian Bureau and refused to abandon the organization which they had had for 100 years or more and which served the purpose for which it was organized.

If the Senator does not offer it, I shall offer an amendment that no part of the fund shall be used for the purpose of organizing such a council.

Mr. FRAZIER. I hope the Senator will offer such an amendment, because I have none prepared. While the Senator is preparing his amendment I desire to offer the following amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 32, line 25, beginning with the words "for continuation," strike out through the semicolon on page 33, line 8, as follows:

For continuation of construction, Camas A betterment, $10,000; beginning construction of Lower Crow Reservoir, $90,000; together with the unexpended balance of the appropriation for completing the Kicking Horse Reservoir contained in the Interior Department appropriation act for the fiscal year 1931; beginning Pablo Reservoir enlargement, $85,000; lateral systems betterment, $25,000; miscellaneous engineering, surveys, and examinations, $5,000; purchase of reservoir and camp sites, $55,000.

Mr. FRAZIER. That strikes out an item of $10,000 for the continuation of the construction of the irrigation proj-

ect on the Flathead Indian Reservation. According to witnesses before our committee the Indians are absolutely opposed to it and say that it is a waste of money.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Dakota.

Mr. WHEELER. Mr. President, I certainly shall have to object to the striking out of this item. I want to say that while there are some reclamation projects on some Indian reservations in Montana that have not been successful, and while I feel that the Flathead project has not been entirely successful, yet it is the most successful reclamation project that has been on any reservation that I know of in the Northwest, and I hope the amendment will not be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment. [Putting the question.] By the sound the ayes seem to have it.

Mr. WHEELER. I ask for a division.

On a division, the amendment was agreed to.

The PRESIDING OFFICER. The bill is still in the Senate and open to amendment.

Mr. FRAZIER. I offer an amendment to come in on page 34.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 34, beginning with the semicolon in line 16, it is proposed to strike out down to and including the words "$78,000," in line 20, as follows:

> And for second of 3-year construction program of the Two Medicine and Badger-Fisher divisions of the irrigation systems on the Blackfeet Indian Reservation in Montana, including the purchase of any necessary rights or property, $46,000; in all, $78,000.

Mr. FRAZIER. Mr. President, the amendment proposes to strike out an item of $46,000 for the so-called 3-year construction irrigation program on the Blackfeet Reservation in Montana. This project is at the foot of the mountains, just east of the Glacier National Park, and the land is so high that no crops can mature. The engineers from whose report I read a short time ago have stated that it was a mistake to put any irrigation project at this place and the Indians are opposed to it.

Mr. WHEELER. Mr. President, before a vote is taken upon the amendment, I am going to suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

Mr. KING. Mr. President, before that is done may I have the amendment which I suggested a few moments ago disposed of?

Mr. WHEELER. I should like to have the quorum call proceed.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Frazier	McGill	Smith
Barkley	George	McKellar	Smoot
Black	Glass	McMaster	Steiwer
Blaine	Glenn	McNary	Stephens
Bratton	Goff	Metcalf	Swanson
Brock	Goldsborough	Morrison	Thomas, Idaho
Brookhart	Hale	Morrow	Thomas, Okla.
Broussard	Harris	Moses	Townsend
Bulkley	Harrison	Nye	Trammell
Capper	Hastings	Oddie	Tydings
Caraway	Hatfield	Partridge	Vandenberg
Connally	Hayden	Patterson	Wagner
Copeland	Hebert	Phipps	Walcott
Couzens	Howell	Pine	Watson
Cutting	Jones	Pittman	Wheeler
Dale	Kendrick	Reed	Williamson
Davis	Keyes	Schall	
Deneen	King	Sheppard	
Fletcher	La Follette	Shortridge	

The PRESIDENT pro tempore. Seventy-three Senators having answered to their names, a quorum is present. The question is on agreeing to the amendment proposed by the Senator from North Dakota.

Mr. WHEELER. Mr. President, I hope that this appropriation will not be stricken from the bill at this time. I wish to say that if this appropriation shall be stricken from the bill without any more substantiating evidence than what has been offered here, I shall move to strike from the bill the appropriation for every reclamation project upon every Indian reservation in the United States.

Mr. KING. It ought to be done, too.

Mr. WHEELER. The Senator from Utah suggests that that ought to be done. That may be true, but I do not think we ought to take snap judgment and strike out an appropriation of $46,000 for a reclamation project on the Blackfeet Reservation which has been recommended, as I assume it has, by the department and by the engineers. I am frank to say that I, myself, have not sufficient information to pass upon it, but I am assuming that it has been recommended by the engineers and by the officials connected with the department. May I have the attention of the Senator from Utah to ask him if that is the fact?

Mr. SMOOT. It is a House provision. The estimate was made by the Budget; it went to the House, and the item was adopted by the House. It has been in this appropriation bill for years. That does not make any difference, however; I presume it will go out.

Mr. WHEELER. I do not take the same attitude with reference to it that the Senator from Utah takes, that it is going out regardless, because I feel that the Members of the Senate are not going to strike out an appropriation of $46,000 for a reclamation project that has been passed upon by the House and has been recommended by the engineers, by the department, and by everyone else connected with it, without any sufficient information with reference to what the facts are. Consequently I earnestly urge that the Senate not treat this merely as a joke and vote to cut it out, but that they give it consideration. If it should be cut out, I take it that the committee will put it back in conference; but I do not think it should be cut out at this time.

Mr. KING. Mr. President, I regret to be in disagreement with the Senator from Montana. I have made some little investigation in regard to this item. The advisers on Indian irrigation projects in the Preston-Engle report state with respect to this project:

> This project presents a hopeless situation for which there is no feasible remedy * * *. It is recommended:
> 1. That the project be abandoned at the close of this irrigation season (1928), making such arrangements with lessees and white landowners now on the project as may be equitable.

That was, as indicated, in 1928. This recommendation is found in the Preston-Engle report, which I have here, consisting of 500 pages. It contains a very clear and careful analysis of the situation upon the Blackfeet Reservation. Only 44 acres are being irrigated by the Indians. With a limited appropriation for the irrigation of that acreage they would be properly served. However, I think the report indicates the unwisdom of making any appropriation for any purpose whatever in connection with this irrigation project.

The second recommendation is:

> That in view of the above recommendation none of the money now available, or made available for the coming fiscal year, be expended in making permanent improvements until this project shall have received further study by Congress.

On page 2337, under the heading "Absence of Definite Data in Justifications," the advisers state:

> Absence of definite data in justifications. Nowhere in the hearings for the past several years does it appear that the area irrigated by Indians on this project in 1926 was 45 acres. The acreage of Indian-owned land irrigable and leased, as well as other definite information necessary for a study of the project, is omitted, and the reports and justifications are filled with generalities that mean little or nothing, with the statement usually made in reference to utilization of land by Indians that "some of this land is farmed by Indians and more will be."
>
> We are of the opinion that if the true conditions actually existing on this project had been accurately portrayed in the justifications Congress would not have appropriated $45,000 for the operation and maintenance of this project for the fiscal year 1929. In view of this, we suggest that no part of this appropriation be expended for permanent repairs or improvements until the matter receives further consideration by Congress, with definite and accurate data before their committee.

In addition to this report by the advisors, Commissioner Rhoads had before him a report by the Solicitor of the Indian Office, Mr. Reeves, who stated:

> It is recommended, therefore, that existing conditions be laid frankly before Congress with a statement to the effect that under present conditions further appropriations for the continued operation of these projects can not be fully justified from an economic standpoint.

That statement is made in the House appropriation hearings, 1931, page 362.

The chief engineer of the Indian irrigation service at that time reported:

> I believe there is a possibility of rescuing this project from the list of complete failures, if the matter of land ownership can be worked out successfully; but if the land is to remain in its present ownership I can see nothing but failure, the loss of the money already expended, and the loss of more that would be appropriated to settle claims.

Nevertheless, in view of these statements, Commissioner Rhoads went forward and asked for an appropriation of $260,500 for the three years just ahead. Mr. FRENCH, in the House Appropriations Committee, pointed out that the expenditures on the Blackfeet project had already totaled $1,097,445, and that if the project of new expenditures was carried to the final point contemplated by the Indian Bureau the total would be in excess of $3,300,000.

In the light of the facts contained in the report of these engineers it would seem that no further appropriation should be made, certainly until a survey has been made and the subject further examined.

Mr. SHORTRIDGE. Mr. President, may I ask the Senator a question?

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from California?

Mr. KING. Yes.

Mr. SHORTRIDGE. How many acres are under irrigation?

Mr. KING. The report shows that there were 44 acres under irrigation by the Indians.

Mr. SHORTRIDGE. Who are the owners of the land?

Mr. KING. The Indians.

Mr. SHORTRIDGE. How many Indians are there on the reservation?

Mr. KING. There are hundreds. I do not recall the number.

Mr. SHORTRIDGE. And the project has cost approximately how much already?

Mr. KING. It has cost considerably more than a million dollars. May I say that the climatic conditions, as I am advised, forbid irrigation. There is some dry farming; they prefer dry farming as I understand, to irrigation. It is a stock-growing country; and, unfortunately, the Indian Bureau has pursued an unwise course. The Indians had herds a number of years ago; but the herds vanished under the improper management, the negligence and the inefficiency of the Indian Bureau.

Mr. SHORTRIDGE. But there are only 44 acres of land that are irrigated?

Mr. KING. Only 44 acres that are irrigated.

Mr. WHEELER. Mr. President, I am sure the Senator from Utah is wrong when he says that only 44 acres are being irrigated by the Indians. The report from which he is reading is several years old. Since that report was made, improvements have been made upon that irrigation project.

I know something of the project myself, because I have visited on it. While it is true that there are portions of the project that have not worked out as the Government and as everybody expected they would, nevertheless there are other portions of the project where they are raising excellent crops.

Let me call attention to the fact that if this appropriation should be stricken out it probably would do a grave injustice to a number of white settlers who have gone on this reclamation project and settled there under the promise that they would have water, and that these appropriations would come along.

This money will be paid back, or should be paid back, by the white settlers wherever it is possible for them to pay it back; but if this appropriation should be cut off at the present time, it would work a great deal of hardship to a lot of white settlers, farmers, and their wives and their children, who are upon the project at the present time.

I sincerely hope that the Senate will not vote to cut out this appropriation at this time without a more careful study being made of it.

The Committee on Indian Affairs is attempting to study these various reclamation projects. The Committee on Indian Affairs has not given to this particular project or to any other project the consideration that we would have liked to, because we have not had the time. No man can stand up here in the Senate and say that the Indian Affairs Committee has made a study of this particular reclamation project and condemns it, because we have not done so. We have not given any study to this particular project as yet and we have not gone out and visited the project; nor has any Member of the Senate gone out there and visited it, to my knowledge.

I think it would be extremely unfair, not only to the Indians themselves but to the white settlers who live upon the project, to take the action that is proposed.

Mr. FRAZIER. Mr. President, on page 926 of the House hearings on this bill, about two-thirds of the way down the page, this statement is made:

> There were eight Indian families irrigating an area of 32 acres on the project during 1930.

Mr. WHEELER. But how many white settlers?

Mr. FRAZIER. The number of white settlers is not stated. The total area irrigated was 5,532 acres.

Mr. WHEELER. I want to say to the Senator from North Dakota that if, after the committee of the Senate have made an investigation of this project, we find that the project is not feasible, and that it is proper and will not do any harm to cut off the appropriation, then I shall be perfectly willing to cut it off. I am not willing, however, to stand here in the Senate and cut off an appropriation where 5,000 acres are being irrigated, and where a lot of white people have gone on there and bought these lands under a promise that the lands would be irrigated. I think it is unfair to the white settlers who are upon the reservation, to cut off the appropriation at this particular time.

Mr. FRAZIER. Mr. President, this money is all reimbursable. It is hardly fair to charge the Indians for irrigating lands for a few white settlers in there; and the cost is more than the land is worth after it is irrigated.

Mr. WHEELER. The only question is simply this, as I see it: Here we have 5,000 acres. Does the Senate of the United States want to cut off the water from 5,000 acres and the white settlers who are living out there on this reservation, and cut off the appropriation for the maintenance of the project? That, as I understand, is the question involved.

Mr. FRAZIER. Mr. President, will the Senator yield?

Mr. WHEELER. First, I invite the attention of the Senator from Utah [Mr. SMOOT], who is familiar with the bill. I am not familiar with this particular item. I ask the Senator from Utah whether or not that is the situation?

Mr. SMOOT. Mr. President, it is true that a little over 5,000 acres is the amount of land irrigated on that reservation. I understand, however, that some of the whites there are cultivating the Indian lands; and of course, whatever profits they make would go to the Indians, or whatever agreement they have arrived at in that regard would be carried out. I suppose the reason why that has been done—the Senator no doubt knows better than I as to whether it is a fact—is that the Indians are not inclined to cultivate lands in that reservation, because I think only small grains are planted and cultivated in the reservation.

As I say, however, the Senator knows more about that than I do.

Mr. WHEELER. The Senator is correct. Most of the Indians up there are not inclined to farm. They have al-

ways inclined to cattle raising. This reclamation project has been there for a number of years, however; and no Member of the Senate is familiar with the situation up there at the present time.

I do not think we ought to cut off this appropriation of $43,000 until we know something about what we are doing. It may work untold hardship to a lot of white farmers who are up there on this project and who this summer will need water and need this appropriation.

Mr. JONES. Mr. President, may I interrupt the Senator?

Mr. WHEELER. I shall be glad to yield.

Mr. JONES. I am satisfied that the House committee went into this matter very carefully. They go into every item in this appropriation bill, as well as others; and in my judgment they would not have recommended the item unless they thought it was fully justified.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. FRAZIER]. [Putting the question.] By the sound the noes seem to have it.

Mr. LA FOLLETTE. I call for a division.

On a division, the amendment was agreed to.

Mr. KING. Mr. President, a moment ago I suggested an amendment relating to the $300 appropriation for the expenses of an organization. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. After line 16, page 69, it is proposed to add:

Provided, That no part of any sum herein appropriated shall be used to pay the expenses of the so-called organization known as the United States All-Pueblo Council.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment was agreed to.

Mr. FRAZIER. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 63, line 20, after the numerals "$160,000," it is proposed to insert:

Provided, That no part of such sum shall be used for the payment of the salary or expenses of LeRoy D. Arnold, superintendent Klamath Agency, Oreg.

Mr. FRAZIER. Mr. President, the business council duly elected by the members of the Klamath Tribe of Indians expressed themselves to the department as desiring to get rid of the superintendent out there, whose name is Arnold. Besides that, a long petition was signed by members of the tribe and sent in. Our subcommittee visited that agency and held hearings there, and in our report to the Senate we recommended that there should be a change of agents. The same agent is still there, however, over the continual protest of the big majority of the Indians and the business council of that reservation. I believe that he has outlived his usefulness on that reservation, at least, if he ever had any.

Mr. STEIWER. Mr. President, I hope the Senator's amendment will not be agreed to.

I have some personal knowledge of the situation upon that reservation, and I know that the statements made by the Senator from North Dakota with respect to the attitude of the Indians is correct. It may be that there ought to be a new agent there. There are many conditions upon the reservation which apparently are unsatisfactory. I heard the testimony of the assistant commissioner before the committee, however, and heard his statement, which I later confirmed, that this agent had himself applied for transfer; that he wanted to get out of that service and into some other service under the Indian Bureau.

The bureau have not been able to effect a transfer because they have no other man having knowledge of forestry. They said that the total forest property of these Indians is worth something like $25,000,000. The biggest source of income—indeed, almost the entire source of income—of these Indians is the money they derive from the sale of their forest products. It seems to me that the bureau ought to be permitted to work out that very serious problem without the mandatory requirement that would be placed upon them if the Congress should adopt this amendment, which would make it impossible to pay that agent anything.

Mr. FRAZIER. Mr. President, the Senator from Oregon states that Superintendent Arnold has asked to be transferred to some other agency. I understand that that is correct. This amendment will give the bureau a chance to transfer him to some other agency.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from North Dakota. [Putting the question.] By the sound the noes apparently have it.

Mr. LA FOLLETTE. I call for a division, Mr. President.

On a division, the amendment was rejected.

Mr. KING. Mr. President, on page 63, line 19, after the word "Klamath," I move to strike out the figures "$136,000" and insert in lieu thereof "$64,000."

This amendment calls for a reduction in the appropriation carried in the bill. In support of it, I offer for the record a statement made by representatives of the Indians, in which attention is directed to this item, and the suggestion made that the appropriation be reduced to $64,000.

The PRESIDENT pro tempore. Is there objection to the request of the Senator?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *December 29, 1930.*

DEAR SENATOR: We ask you to move for the reduction of one item in the pending appropriation bill, as follows:

I

The item is found on page 63, line 19. We request that you move a substitute figure to take the place of $136,000 there found, which substitute figure should be $64,000. We did request a reduction of the Appropriations Committee in the amount of $60,000, but have fully justified for the amount of $72,000, which we do not believe to be unreasonable, which does not in any way curtail the administration of the forest, irrigation, and insect control as the following figures will show. First, we wish to point out that a reimbursable fund is used for the maintenance and operation of the Klamath Forest and is reimbursed to the Treasury of the United States from an 8 per cent deduction of the gross receipts of the Klamath tribal timber cuttings:

The amount for the fiscal year is (8 per cent of gross timber receipts, agency budget)	$99,650
The amount requested for salaries, etc	136,000
Tuition for children of restricted parents	10,000
Agency buildings	10,000
Irrigation	3,500
Insect control	20,000
Total tribal funds	279,150

The expenditures for the past six years, beginning with 1926, are as follows:

1926	$175,321.74
1927	210,061.11
1928	270,070.12
1929	272,016.22
1930	277,500.00
1931	281,000.00

Before indicating the detailed reductions, which we believe to be practicable and just, we point out that Inspector Trowbridge, of the Interior Department, reported as follows, with respect to agency expenses exclusively, on August 27, 1928 (pp. 11–12):

"The foregoing summaries of revenues and costs of operation for fiscal years 1926, 1927, and 1928, demonstrate the advisability of caution in future expenditures. Probably on no other reservation, with the possible exception of the Osage, does the percentage of cost, compared to revenue, range as high as on this reservation.

"A comparison of per capita costs on other western reservations compiled by District Superintendent Lipps, covering the fiscal years 1927, discloses the Klamath Reservation to be out of all proportion, as shown below:

Jurisdiction	Number of Indians	Budget estimate	Per capita cost
Fort Lapawai	1,400	$18,825.00	$13.48
Umatilla	1,100	19,612.00	17.83
Yakima	3,000	43,815.00	14.27
Taholah	1,145	19,474.00	17.00
Colville	3,455	73,868.00	21.38
Fort Hall	1,760	39,279.00	22.31
Warm Springs	1,100	32,940.00	29.94
Klamath	1,250	104,000.00	83.20

"The figure which Mr. Trowbridge used for Klamath, $104,000, is erroneous; the actual figure for that year was $166,482, or $233 per capita for the Klamath, as compared with the per capita for other reservations which are given by Inspector Trowbridge.

"The Indian Office has itself confessed that it is not able to justify to the Appropriations Committee the sums which it actually spends on certain alleged services. (See p. 59, Senate hearings on the Interior appropriation bill for 1931.) In that tabulation you will note that the Indian Office estimated and requested authorization to expend $48,900 for salaries, whereas it actually spent and obligated $82,928. It estimated $5,000 for medical and hospital supplies for Indians and spent only $927. It estimated $12,000 for provisions and spent $2,440. In general it totally abandoned its own justifications and undertakings, and having secured the money, transferred it recklessly to salaries and other bureau uses. It boosted its own pay roll practically 90 per cent above the justifications.

"The Comptroller General's report to the Congress for the fiscal year 1928 (p. 39) states that a certain uncontrolled discretion is derived by the Indian Bureau from the acts of March 3, 1883, and March 2, 1887; and you will note that the comptroller speaks of the 'absolute control and almost indiscriminate use of these funds through authority delegated to the several Indian agents by the Commissioner of Indian Affairs.'"

The above explanation is necessary as a preface to our statement of the specific reductions that ought to be made, because as long as the total is allowed the allocations will be shifted in any way that the Indian Bureau finds convenient.

We therefore repeat that the total authorized on page 63, line 19, of the appropriation bill should be cut from $136,000 to $64,000, and we specify below some of the items which should be cut down.

If there should be objection raised that the proposed cut in the total allowed for agency use is too great, it suffices to point out that the Senate last year cut out $48,000 from the Klamath appropriation, but it was restored in conference because of the insistence of the House subcommittee on Interior Department appropriations.

Gratefully and respectfully yours,

Mr. and Mrs. WADE CRAWFORD,
Klamath Delegates.

IN RE KLAMATH EXPENDITURES

I. ROADS

Amount requested, $29,000. Reduction proposed, $17,000.

Our justification: There are now at least 1,000 miles of roads on the reservation; there are 11 forest guard stations and 2 observatories with graded highways leading to them. There are approximately only 800,000 acres of timberlands on the reservation. The Dallas-California Highway and the Lakeview-Klamath Falls Highway, with market roads leading to the towns, permit adequate transportation. The roads that have been built with the tribal funds have benefited the timber companies and their employees, the many white people who own land on the reservation, and the commercial interests in the three towns which are in addition to the Klamath Agency. There are in fact approximately 7,000 white people to 1,000 Indians who use these roads. Approximately one-half of the adult Indians are taxpayers.

II. AUTOMOBILES

Reduction proposed, $3,000.

The tribal funds each year have supplied new cars for employees and there are now about 35 cars and trucks. The cars are all new and there is a well-equipped garage at the agency to keep these cars in repair. The number of cars is excessive, as is shown by comparison with agencies supported by gratuitous funds. We believe it to be unfair to furnish cars and equipment to liquor-enforcement officers, as is now the practice.

III. LIQUOR TRAFFIC

Reduction proposed, $12,000.

No provision is made by the bureau with the county and State for the reimbursement of this appropriation to the tribal funds; and, situated as Klamath is, with so many outside people, and the Indian violators paying fines, we believe this to be unfair and entirely a misapplication of funds.

IV. GRAZING—SAWMILL—FARMS

Reduction proposed, $8,000.

By the new ruling of the bureau grazing has been transferred to the forestry branch of the service and the "rules and regulations" of the bureau state specifically that it is the duty of the rangers to supervise the range. The Five-mile sawmill has been discontinued and, prior to that time, was run at a loss of $800 to $1,000 annually to the tribal funds. The farms are leased and are kept up by the lessees.

V. FURNITURE AND FIXTURES

Reduction proposed, $2,000.

This amount is spent for the employees' houses and does not benefit the Indians. Every year there are additional requests for furniture when there is a great amount on hand in the commissary.

VI. EQUIPMENT

Reduction proposed, $6,000.

This item is a repetition of several others of a similar nature, including fire-fighting and telephone equipment, which should be taken care of in the forestry budget; included also is farm machinery and repairs, and the agency does not operate a farm. Taking 1927–28 as example, we quote from the Trowbridge report, of the Department of the Interior, August 27, 1928, page 25:

Equipment	$14,575.01	$20,988.26
Stores	7,698.60	4,404.74
Operating supplies	39,202.08	50,867.90
Total	61,475.67	76,260.90

With the above figures for proof we believe the purchasing power of the bureau should be curtailed, and especially as equipment is carried elsewhere in the Budget. This is also proof that the bureau does not present a clear picture to Congress in their justification for expenditures.

VII. FREIGHT

Reduction proposed, $6,000.

There are several Ford and Mack trucks at the agency, with gas, oil, and tires supplied; with men employed to operate them. There is also included elsewhere in the justification of the bureau an item for the "Transportation of things"; this request is a repetition.

VIII. IRREGULAR LABOR

Reduction proposed, $2,500.

The ice is cut and hauled by the forestry men in the winter months, who are kept on an annual salary. The odd jobs around the agency—hauling garbage, wood, and fuel, and sweeping down walks and porches—is paid from the irregular fund listed under "Personal services."

IX. BUILDINGS (STRUCTURES)

Reduction proposed, $10,000.

X. REIMBURSABLE LOANS TO INDIANS

Proposed reduction, $5,000.

There is no necessity for this request; there is a revolving fund of $50,000 for reimbursable loans which is still available. This is merely a case of padding the justification to make it appear that the appropriation is "direct assistance" to Indians. The bureau spends the money as it chooses with no regard to the justifications, which are a farce and do not give a clear picture to the Congress. There is no necessity for an additional reimbursable amount. Each adult Indian is entitled to borrow $570.

XI. BURIAL OF INDIGENT INDIANS

Proposed reduction, $500.

There should be no "indigent Indians" in a $30,000,000 estate, as is claimed by the Bureau of Indian Affairs, in their requests for these appropriations to the Congress. This is just another case of padding the record for the benefit of the bureau. This request proves the inconsistency of the bureau. We don't believe there is any Klamath Indian who has died landless and in poverty. They always have trust land and generally funds in the agency office.

CONCERNING INDIAN BUREAU SALARIES AND WAGES PAID BY THE KLAMATH TRIBE

No specific reduction is here asked in the matter of bureau salaries. But we point out that for the fiscal year 1930, $277,000 was appropriated and spent for all Klamath administration; of this amount $168,753.36 went for salaries and wages, which proves clearly that the employees are the persons who are receiving "direct assistance."

The 1930 bureau record shows 178 as regular and irregular employees on the pay roll at Klamath. Captain Trowbridge, in his report August 27, 1928, stated that "irregular labor" was a misnomer. "Most of them on the roster are carried almost continuously."

The bureau justifications to the Congress do not reveal the huge amounts of tribal funds spent for salaries and wages. The justifications would lead anyone not familiar with the facts to believe that the Indians are receiving "direct assistance" from these appropriations.

Mr. KING. Mr. President, I also ask leave to have inserted in the RECORD at this place a letter addressed to me by Mr. and Mrs. Wade Crawford, relating to the Klamath Reservation.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *January 20, 1931.*

MY DEAR SENATOR: It is with the greatest reluctance that we again appeal to your great generosity in giving so much of your valuable time to the matter of the Klamath Indians whom we represent and their timber resources.

In spite of the protests of the Indians to the bureau's methods of contracting the timber; and with real indifference to the request of the business committee, the bureau has placed on the market one more unit of Klamath timber. In all, this comprises seven units since the Indians have made formal request to the bureau to discontinue further sales.

The Indians have several very material reasons for thus objecting to these contracts, chief among which are the length of time of the contracts, the liberal bonding policies, the clause in the contracts which provide that an extension in time may be granted, and the increase in stumpage applies "in the discretion of the commissioner." This "discretion of the commissioner" in the

past has lead to many abuses in which the Indians have suffered real loss in many thousands of dollars, and we will later illustrate with a specific case. A clause in the contract also provides that a substantial margin of profit is guaranteed the contractor. Where on the face of the earth, except Indian reservations, would such a contract be considered for a moment? There is also another clause in the contract in which the commissioner agrees that all information in the records of the purchaser and his subcontractors will be regarded as confidential. The underlying significance in this part of the contract lies in the fact that these reports, submitted to the Indian Bureau or their officer in charge, is the foundation upon which the commissioner bases a decision as to whether the increase in stumpage will be applied. The companies in this set-up or report set forth all the conversion costs, production, operation, and plant investment.

Mr. Lee Muck, forest valuation engineer, of the Bureau of Indian Affairs, submitted a complete financial statement to the bureau, which was furnished him by the companies operating on the Klamath Reservation. This report for 1930 is in two parts, Part I, Analysis and Recommendation, and Part II, Statistical. The Department of the Interior has refused to submit Part II of this report.

We respectfully submit, as we are sure it is plain to you, that neither the Congress of the United States nor the Klamath Indians are able to ascertain if the extension in time and the increase in stumpage is or is not warranted unless access be given to Part II, Statistical, of the report. No interested party without full and complete details of the case could reach a definite conclusion. If the Indian Bureau, agents of the United States Congress, serving as guardians of the Indians in lieu of Congress, is allowed to withhold this information, the very nature of the procedure not only creates suspicion as to the honesty and integrity of purpose, but also points directly to a secret compact being carried on between the Bureau of Indian Affairs, agents of the Government of the United States, and the timber companies operating upon the Klamath Reservation.

It is not our purpose or desire to pry into the private affairs of lumber operators unless the method pursued by them and the Bureau of Indian Affairs in removing the Klamath timber forces us to do so. The very nature of things and of the contracts fully warrants such action on the part of anyone interested in the property of the Klamath Indians. If there existed between the bureau and the timber companies an iron-clad, businesslike contract, we are certain that an inspection of the books would not be warranted; but when lumber companies are relieved from paying the increase in stumpage and an extension in time is granted, such action is warranted on the part of the representatives of the Klamath people. Either the above-referred-to "clauses" should be stricken from the contracts or the Congress and the Indians should be furnished with full and complete details of the contracts and agreements, even as is the Indian Bureau. We can not conceive this Report No. II being considered a private affair.

As an illustration of the outcome resulting from these contracts we point out the Algoma Lumber Co. contract on the Middle Mount Scott unit. This contract was entered into in 1917 and was for a period of 15 years. The original stumpage bid was $3.57; the maximum price received, $5.30. This unit was depleted during the peak of high prices in both the stumpage field and lumber market; other units of timber during this period contracted for $7.12 and $8 per thousand feet.

The Forrest Lumber Co., now operating at Pine Ridge, Oreg., purchased the North Marsh unit contract in 1925 from the Fremont Lumber Co., paying a bonus of $275,000; with interest, this brought the timber to $7 per thousand feet. This company holds under contract the Calimus Marsh unit; the original stumpage price was $4.06. In 1927 an increase of 40 cents per thousand feet should have been applied, but was not done until 1928. Lee Muck in his report for 1930 recommended that the price be reduced to the original stumpage bid of $4.06. The Forrest Lumber Co. has a plant investment of more than $1,800,000; the depreciation costs are therefore high, and Lee Muck in his report states that amortizing the plant investment under the unit system is the reason for this, and, in his opinion, the Forrest Lumber Co. is not right in so doing; however, he recommended relief in this instance. A paragraph in the contracts provide that a company holding two units of timber may operate on one unit sufficient timber to supply the quota for both units. We know this practice to be carried out now even in the areas contracted by the bureau under the guise of beetle infestation. This works very handsomely for the companies, as in the case of the Forrest Lumber Co., operating on cheap stumpage in the Calimus Marsh unit until the lumber market improves. No operations have been conducted in the North Marsh unit. A reduction in the Calimus Marsh unit, according to the Lee Muck report, means a saving to the Forrest Lumber Co. of $20,000 a year. It might be termed that the Klamath Indians will pay the interest on the bonus paid the Fremont Lumber Co.

It will be borne in mind that the Klamath tribal funds bear the entire cost of administration. This has been around $300,000 annually. There are 1,276 enrolled members, which makes a per capita cost of approximately $225. The realization to the Indians in the sale of their timber for the past three or four years has been $600 per annum. Before then they did not receive even half that amount.

The cost for administration includes among other things fire prevention and control; road, bridge, tower, observatory construction; beetle control; purchase of automobiles and equipment; gas and oil; salaries and wages and provisions. These expenditures are incurred for operations in contracted as well as uncontracted areas.

From the foregoing it will be plain why the Klamath Indians object to any further contracts being entered into for them by the Bureau of Indian Affairs until the Congress has had time to investigate the Klamath timber conditions resulting from these contracts.

Very gratefully yours,

Mr. and Mrs. WADE CRAWFORD,
Klamath Delegates.

Mr. KING. Mr. President, I also ask leave to have inserted in the RECORD from the hearings before the Senate committee tables found on pages 59, 61, 64, 65, and 66, showing the large number of automobiles, some 30 or 40, used upon this Klamath Reservation, the large number of cottages and houses, and other testimony which indicates the unwisdom and the impropriety of the large appropriation demanded by the Indian Bureau. If the Indians themselves desire this reduction, it seems to me that we should gladly accede to their request. Senators will recall that 8 per cent of all the gross receipts from the sale of timber have also been used by the bureau in the administration of the Klamath Reservation. This sum amounts to approximately $90,000 annually.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Utah?

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

List of buildings under the jurisdiction of Klamath Agency, Oreg.

LOCATED AT KLAMATH AGENCY, OREG.

No.		Constructed	Value
1	Agency office	Inventory, 1918	$3,500.00
2	Bungalow (superintendent)	June, 1919	5,000.00
3	Chapel and classrooms	Inventory, 1918	14,300.00
4	School mess	do	13,300.00
5	Cottage, 7 rooms and bath	do	300.00
6	Laundry	do	1,000.00
7	Cottage, 4 rooms and bath	do	500.00
8	Cottage, 6 rooms and bath	do	300.00
9	Cottage, 5 rooms	do	500.00
10	Meat and ice house	do	150.00
11	Garage (old office building)	do	350.00
12	Dwelling, 2-story	do	1,500.00
13	Cottage, chief forester	do	2,500.00
14	Cottage, 4-room	do	300.00
15	Cottage, third house west of superintendent's.	do	300.00
16	Cottage, 4 rooms	do	300.00
17	Cottage, 6 rooms	do	500.00
18	Cottage (across creek)	do	225.00
19	Bungalow, 4 rooms and bath	September, 1920	3,819.00
20	Dwelling, 5 rooms and bath	Inventory, 1918	700.00
21	Bungalow, 4 rooms and bath	September, 1920	3,819.00
22	Jail and police quarters (remodeled to dwelling).	Inventory, 1918	250.00
23	Bungalow, 4 rooms and bath	September, 1920	3,819.00
24	Bungalow, forestry	do	3,818.00
25	do	do	3,819.00
26	Cottage school	Inventory, 1919	1,000.00
27	Mess building, employees'	June, 1919	8,000.00
28	Cottages, 5 rooms and bath	Inventory, 1918	600.00
29	Boys' dormitory	do	3,000.00
33	Commissary	do	800.00
35	Electric-light plant	do	2,000.00
35a	Power house	do	90.00
36	Machine shed	do	75.00
37	Garage	October, 1922	250.00
38	do	do	250.00
39	Woodsheds	Inventory, 1918	75.00
46	do	do	60.00
50	do	do	60.00
51	do	do	85.00
52	do	do	120.00
53	do	do	75.00
54	do	do	75.00
54a	do	do	35.00
55	do	do	40.00
56	Barn, agency	do	1,150.00
58	Carpenter and blacksmith shop	do	1,000.00
59	Storehouse (old school jail)	do	50.00
60	Carpenter shop (school)	do	500.00
61	Machine shed	do	15.00
62	Meat house and root cellar	December, 1925	600.00
63	Barn, school	Inventory, 1918	300.00
114	Root cellar	do	45.00
115	Poultry houses	do	10.00
116	do	do	10.00
117	Cottage, 4 rooms and bath	Inventory, 1926	1,000.00
118	Separator house	do	100.00
119	Cabins, 1-room	do	50.00
131	Garage, 2 cars	December, 1926	150.00
132	Garage, 3 cars	do	300.00
133	Garage, tile	do	4,373.00
136	Cottage, employees	December, 1927	4,238.00
	Klamath hospital, building complete.	Not carried as (cost to date 1928).	29,620.00

List of buildings under the jurisdiction of Klamath Agency, Oreg.—Continued

LOCATED AT MODOC POINT, OREG.

No.		Constructed	Value
31	Farm cottage	Inventory, 1918	$100.00
32	Farm barn	do	800.00
34	Cottage and school building	do	1,500.00
74	Cottage assistant and farmers	do	150.00

LOCATED AT BEATTY, OREG.

40	Day school No. 2	Inventory, 1918	$500 00
41	Woodhouse and carpenter shop	do	250.00

LOCATED NORTH OF BEATTY, OREG.

42	School buildings and cottage, district No. 3.	Inventory, 1918	$5,100.00
43	Barn, day school No. 3	do	150.00
120	Machine shop and garage	July, 1926	500.00

LOCATED AT YAINAX, OREG.

57	Sawyers' cabin	Inventory, 1918	$150.00
67	Cottage, physician's	do	700.00
68	Field matron's cottage	do	700.00
69	Cottage, subagent's	do	500.00
70	Woodsheds	do	25.00
71	do	do	25.00
72	Woodshed	do	25.00
73	Cabins, 1-room	do	200.00

LOCATED AT CHILOQUIN, OREG.

64	Jail building	April, 1925	$5,825.00
65	School building, district No. 1	Inventory, 1918	5,100.00
66	Barn, day school No. 1	do	150.00

LOCATED AT KIRK, OREG.

81	Cabin, forestry	October, 1922	$300.00
121	Cabins, forestry	Inventory, 1925	150.00

LOCATED AT PIAUTE (FIVE-MILE SAWMILL)

76	Cottage	Inventory, 1918	$300.00
136	Sawmill	July, 1927	7,383.00

MISCELLANEOUS LOCATIONS

95	Lookout cabin	Calimus, October, 1922	$350.00
99	Cabins, 1-room	Algoma, October, 1922	100.00
100	do	do	100.00
96	do	Pot Holes, October, 1922	100.00
102	Cabins, scalers'	Modoc Camp No. 3, October, 1922.	129.00
103	do	Modoc Lumber Co., October, 1922.	118.00
104	do	South Calimus for Gd. Station, October, 1922.	350.00
105	do	Lamm Lumber Co., September, 1920.	235.25
106	do	Shaw Bertram, September, 1921.	90.00
107	Cabins, portable	Ewauna Camp, September, 1922.	200.00
108	do	Chiloquin Lumber, November, 1919.	65.00
109	do	Sprague River, November, 1919.	65.00
109a	Garage, Algoma logging camp	October, 1922	25.00
97	Cabins, 1-room	Yamsy F. G. Station, October, 1922.	75.00
98	do	Applegate Station, October, 1922.	75.00
110	Cabins, scalers	Squaw Flat, January, 1925	102.78
111	do	Pucket Camp, June, 1921	148.00
112	do	Pucket Camp, January, 1923	125.00
113	do	Modoc Lumber Co., Calimus marsh, April, 1921.	169.27
128	do	Cherry Creek inventory, 1926	75.00
125	Cabins, F. G. station	Sycan inventory, 1926	250.00

Mr. SMOOT. Mr. President, I want to say to my colleague that I had another letter from the Klamath Indians repudiating the testimony given by the gentleman and lady who were here before the committee. I thought I had it here. But I suppose it would make no difference, and therefore I will merely call it to the attention of the conferees.

Mr. KING. Mr. President, in reply to what my colleague has said, after the tribe had met and selected representatives, and the representatives came here to carry out the wishes of the tribe, this same Mr. Arnold, who is at the reservation, attempted, directly or indirectly, to get up a rump convention or conference. A number of Indians who had testified before the Frazier committee as to the extravagance and waste and inefficient administration were given jobs by those in charge of the reservation, and then they cooperated with the agency officials for the purpose of trying to undermine the delegates the Indians had sent to Washington to protect the Indians and execute the trust reposed in them. It seems to me, in the light of the facts, which I shall not take the time to detail, the wishes of the tribe should be respected, and the statements of the delegates here should guide the Senate in this matter.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the junior Senator from Utah.

The amendment was agreed to.

Mr. BROOKHART. Mr. President, I desire to offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 62, after line 6, to insert a new paragraph, as follows:

For payment of delinquent taxes and penalties on tribal lands of Sac and Fox Indians in Iowa, $3,300, or so much thereof as may be necessary.

Mr. SMOOT. Mr. President, I simply want to say in a word that this is the first time we have heard of this, the department has not called attention to it, nor has anybody else called attention to it.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. KING. Mr. President, I offer an amendment as follows, on page 19, beginning with line 24, to strike out lines 24 and 25; and on page 20, lines 1 to 12, inclusive.

In a word, this item which I seek to eliminate carries a large appropriation for the purchase of land for the Navajos. The Committee on Indian Affairs will make an investigation of the wisdom and propriety of this purchase. In 1928, in the deficiency bill—and I have the provision here before me—there was inserted, I think in conference, a provision for the appropriation of $1,200,000 for the purchase of lands for the Navajo Indians.

My information is that this land is owned largely, if not entirely, by the Sante Fe Railroad. It is possible that some of the land ought to be acquired. I have been informed, but I have not had time to verify the information, that a number of acres have been acquired under an appropriation heretofore made pursuant to the authorization to which I have referred, and my information is that the price paid in some instances has been excessive.

Whether this land should be purchased from the railroad company is wise or not the Congress has had no chance to investigate; the question was not before any committee, I am advised, and the Senate had no information concerning the matter. The two Senators from New Mexico were not advised, I understand, of the plan to rush through the authorization, and the item was added to the bill in conference, as I stated.

I think we ought to halt for the moment and not make any further purchases until a thorough investigation is made. The money comes out of the tribal funds, I understand, being reimbursable, as I am advised, and for that reason, if for no other, we should not encroach upon these funds until it is demonstrated that it will be for their benefit and is desired by the Indians. The Frazier committee, after it completes its investigation, will advise the Senate whether it is wise and prudent and for the best interest of the Indians to expend more than $1,000,000 of their moneys.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

On a division, the amendment was rejected.

Mr. FRAZIER. Mr. President, on page 40, I offer the following amendment, in the item for the Alabama and Coushatta Indians:

The CHIEF CLERK. On page 40, line 11, strike out the figures "$4,500" and insert in lieu thereof "$25,000."

Mr. FRAZIER. Mr. President, that increase is for educational purposes for these Indians in Texas. Our committee visited that band, and they are in decided need of more educational facilities. The State is largely taking care of them, but they need a little more money. They need an additional school building, an additional teacher, and more equipment.

Mr. SMOOT. Mr. President, that is not estimated for; the $4,500 being all that was estimated for, it would change existing law, and I make a point of order against it.

The PRESIDENT pro tempore. The point of order is well taken.

Mr. FRAZIER. Mr. President, I have another amendment to offer, on page 60, referring to the same Indians in Texas, for hospital work and medical treatment of the Indians.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 60, after line 3, add the words "for medical aid for the Alabama and Coushatta Indians in Texas, $3,000."

Mr. SMOOT. For the reasons stated before I make the point of order.

The PRESIDENT pro tempore. The point of order is well taken.

Mr. CONNALLY. Mr. President, I want to say to the Senator from Utah that I hope he will not urge the points of order against these particular provisions. It is true they were not estimated for, but the Senator from North Dakota [Mr. FRAZIER] and his subcommittee visited this Indian reservation last fall and made an investigation on the ground.

These Indians have been cared for largely during all the past by the State of Texas, which has made appropriations not only for their education but to provide homes for them; and it seems to me that the Federal Government, since it acknowledges its obligation with respect to Indians in other parts of the country, should not on a pure technicality invoke this harsh rule against these Indians.

Mr. SMOOT. Mr. President, they did not even apply to the House for the appropriation. Not a thing was said about it. Not a word was said about it before the Committee on Appropriations, and why should we allow it without some kind of an understanding?

Mr. CONNALLY. Mr. President, let me say to the Senator from Utah that we are not responsible for what the House of Representatives may do.

Mr. SMOOT. I know that perfectly well, but we are responsible for what is done here in the Senate.

Mr. CONNALLY. We are responsible here in the Senate to the country. We are not responsible to the House or its titular leader or its other leaders. The Senator from North Dakota [Mr. FRAZIER], the chairman of the Committee on Indian Affairs, held hearings on this matter. I appeared before the committee and urged legislation with respect to the matter, and I understand that the Committee on Indian Affairs is in sympathy with the amendment; but until we can get the legislation they are considering, the Government ought to do its part toward looking after these Indians.

Mr. SMOOT. If the Committee on Indian Affairs wants to pass a bill to this end and can get action on it by the Senate, it will be in order to put the necessary appropriation on the deficiency appropriation bill, and we will know more about the facts.

Mr. CONNALLY. I understand that as well as the Senator from Utah does, but I was appealing to the Senator from Utah not to urge his point of order against this particular item. I know, of course, that if it were already authorized, the point of order would not lie, but knowing the generous nature and disposition of the Senator from Utah toward Indians in general——

Mr. SMOOT. Oh, no——

Mr. CONNALLY. Does the Senator deny entertaining such views?

Mr. SMOOT. The Senator is trying to keep the bill within reason. I am perfectly willing to admit that there have been amendments offered which were unreasonable, which will go to conference, of course. If the Senator desires that this go in and will allow it to go to conference, we will discuss it with the House conferees.

Mr. CONNALLY. I will certainly be delighted if the Senator will preserve its life. Of course, I know what he will do to it when it gets to conference.

Mr. SMOOT. If the Senator knows that, then I might just as well do it right now and make a point of order.

The PRESIDENT pro tempore. The point of order has been made and sustained.

Mr. CONNALLY. Mr. President, the Senator from Utah evidently knows what he is going to do in conference. I did not say what he is going to do. I did not indicate what he is going to do. I simply begged him to let the matter go into the bill and let it go to conference.

Mr. SMOOT. The Senator went further than that. He said he knew what I would do in conference.

Mr. CONNALLY. But I did not indicate what that was.

Mr. SMOOT. I knew what was in the Senator's mind.

Mr. CONNALLY. The Senator must have been particularly sensitive about a reference to what he would do in conference, because the Senator from Texas did not indicate what the Senator from Utah would do in conference. I asked him to let the amendment live at least until the conferees meet.

Mr. SMOOT. That is not what the Senator said. I told the Senator I was perfectly willing to do that upon his statement, but it was what the Senator said following that, to the effect that he knew what I would do in conference, with which I did not agree.

Mr. CONNALLY. I did not say what that was the Senator would do. I will be very happy to let the Senator do whatever he pleases in conference if he will let it go into the bill at this time. We can at least get a hearing before the committee of conference.

Mr. SMOOT. Very well. I will withdraw my objection.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Texas.

The amendment was agreed to.

Mr. CONNALLY. Now I want to appeal to the Senator from Utah, after his very generous action, which I appreciate very much, to withdraw his objection and point of order to the other Texas items so they can all go to conference and let us have a harmonious and unified program if we have any at all.

Mr. SHEPPARD. Mr. President, I would like to join my colleague in asking the Senator from Utah to permit all of the Texas items to go together.

Mr. SMOOT. If I am compelled to yield in this way or face a filibuster here in the Senate against the adoption of the conference report, of course, that is another matter. I do not know what the program is.

Mr. SHEPPARD. The Senator knows that my colleague and I have not participated in any filibuster.

Mr. SMOOT. I did not intimate that the Senator had; but I said that there might be a filibuster. What I am in hopes of doing is to get the appropriation bills through at this session of Congress, and every move that I can make to that end, of course, I propose to make. The Senate made a decision to-day which violated every rule pertaining to an appropriation bill.

Mr. SHEPPARD. I know the difficulties which beset the Senator from Utah.

Mr. SMOOT. As long as we now have nearly 100 amendments, one or two more will not make very much difference. I will let them go.

The PRESIDENT pro tempore. The pending amendment will be stated.

The CHIEF CLERK. On page 60, after line 4, to insert:

For improvement of the land and reservation now occupied by the Alabama and Coushatta Indians in Texas, including barns and dwellings, house furnishings and supplies, clearing and

fencing land, and home for an Indian agent, with $10,000 for livestock, $70,000.

The amendment was agreed to.

Mr. FRAZIER. I offer the following amendment.

Mr. SMOOT. I ask for a reconsideration of the point of order against the first items so as to let them all be considered and all go together.

Mr. FRAZIER. I appreciate that very much.

The PRESIDENT pro tempore. Everything has been agreed to up to the present time. The Senator from Utah now wants a reconsideration of the points of order. The Chair understands that to be tantamount to withdrawing the points of order; and inasmuch as there are now two amendments pending relating to the tribes of Indians in Texas, by unanimous consent the Chair will submit both questions together. The question is upon agreeing to the two amendments proposed by the Senator from North Dakota [Mr. FRAZIER] relating to the tribes of Indians in Texas. [Putting the question.] The ayes have it, and the amendments are agreed to.

Mr. FRAZIER. Mr. President, on page 39 I offer an amendment providing that the reimbursable charge against the Indians' irrigated lands shall not be more than the value of the irrigation on the lands.

The PRESIDENT pro tempore. Let the amendment be stated.

The CHIEF CLERK. On page 39, line 25, before the period, insert a colon and the following proviso:

Provided, That the reimbursable charge against land under Indian irrigation projects shall not in any case be greater than the benefits resulting from the expenditure of reimbursable appropriations: *Provided further*, That no reimbursable charge shall be imposed in violation of section 5 of the act of February 8, 1887 (24 Stat. 388), or of any guarantee contained in trust patents issued to Indians.

Mr. SMOOT. Mr. President, it would be impossible to administer the amendment. The Senator knows that on every Indian reservation, if the amendment were agreed to, we would have to have figured out just what the cost was. It can not be done.

Mr. FRAZIER. There are cases out there now, according to the best figures we can get, where the irrigation charge against the land is more than two or three times the value of the land.

Mr. SMOOT. That happens in irrigation projects in all of the States in some particular cases, but if the amendment became the law it would not only affect those cases, but before anything could be done every solitary Indian using irrigation water would have to have his cost estimated and we would have to find out just what the cost was. It is unreasonable and I must make the point of order against it on the ground that it is new legislation on an appropriation bill.

The PRESIDENT pro tempore. Does the Senator believe it might not be regarded as a limitation upon the appropriation?

Mr. SMOOT. I do not think so.

The PRESIDENT pro tempore. The Senator makes the point of order that it is new legislation?

Mr. SMOOT. Yes; I do.

The PRESIDENT pro tempore. The point of order is sustained.

Mr. KING. Mr. President, I am sure my colleague will accept the amendment which I am about to offer. I offered an amendment a moment ago reducing an appropriation from $136,000 to $64,000 carried in the bill for the Klamath Reservation. There is a "catchall" provision in the bill, which would permit the construction of buildings upon such reservations as the Indian Bureau might determine in its wisdom or unwisdom to be necessary. The Trowbridge report advised against the construction of additional buildings upon the Klamath Reservation. The Indians do not want their funds dissipated in the construction of more buildings. I offer the following amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. Add at the end of the bill the following:

No part of any appropriation herein provided shall be used in the construction of any building upon the Klamath Reservation.

Mr. SMOOT. I think that is too sweeping. It provides that no building shall be erected on the Klamath Reservation.

Mr. KING. That, in effect, is the recommendation of the Frazier committee, if I understand it.

Mr. SMOOT. Oh, no; not of the committee.

Mr. KING. And of the Trobridge report, and it is the view of the Indians who are familiar with the situation. In order to meet the objection of the Senator I will insert the word "new," as applied to buildings, so it will refer only to new buildings.

In the Trowbridge report—page 13—the following recommendations were made:

That the superintendent be instructed to make every effort to reduce operating expenses by reduction in forestry personnel during winter months; reduction of permanent labor crew at the agency; abandonment of the experimental farm; and discontinuance of the Five-Mile sawmill.

That no expenditures be made for construction of a new warehouse, as contemplated in annual report of superintendent.

That further expenditures for new dwellings be not considered, after remodeling the dining hall, which will accommodate two families.

Mr. SMOOT. I want to say in fairness to the Indians on the Klamath Reservation that, not those who claim to be the representatives, but those who actually represent the Indians say that the statement is not correct.

Mr. KING. Does the Senator challenge the statement I made?

Mr. SMOOT. I may have misunderstood my colleague's statement.

Mr. KING. I make the statement that the representatives of the Indians who are here and who have appeared before the committee and who were appointed by the tribal council, state that no new buildings are required. The Trowbridge report, to which reference has been made, advises against any additional or new buildings upon the Klamath Reservation. I stand by that statement.

Mr. SMOOT. The Indians on the Klamath Reservation do not recognize as their representatives the gentleman and the lady who are here.

Mr. KING. The Senator is in error.

Mr. SMOOT. I am sorry I have not my files here. This is not the first year they have been here. They have been here every year for many years past, claiming that they represent the Klamath Indians. They represent only a small number of the Klamath Indians. I wish I had the letters here so I could put them in the RECORD, but I have not. So far as that is concerned, however, I have no objection to the amendment going to conference.

Mr. McNARY. Mr. President, if the Senator will yield just a moment, I think I can state that the recognized representatives of the Klamath Indians are Mr. and Mrs. Crawford, a gentleman and his wife, who are kept here largely to look after the affairs of the Klamath Indians.

Mr. SMOOT. I know they are here, but I want to say to the Senator again that the correspondence we have received from the Klamath Reservation Indians—I do not know whether they are a majority or not—indicates that this gentleman and lady do not represent all of those Indians. Whether they do or not represent some of them I am not prepared to say.

Mr. KING. Mr. President, the lady and gentleman referred to by the Senator from Oregon have appeared from time to time representing the Indians of the Klamath Reservation. In council they have been elected. They have come here with a certificate of election, and the Indian Bureau has recognized them and paid their expenses. They have been recognized and their expenses paid by the Indian Bureau—of course, out of the tribal fund—up until a day or two ago, when it was understood they were departing for home. It is true that, since they have been here, the agents upon the Indian reservation, those against

whose misconduct they have been protesting and against whose extravagance they have complained, have attempted to organize a rump conference or council for the purpose of superseding the authority which time and again has been conferred upon Mr. and Mrs. Crawford. I appeal to the Senator from Oregon [Mr. McNARY], in whose State the reservation is found, if the statement I have made is not correct.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the junior Senator from Utah.

The amendment was agreed to.

The PRESIDENT pro tempore. The bill is before the Senate and open to amendment. No further amendments being proposed, the question is, Shall the amendments be engrossed and the bill be read a third time?

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDENT pro tempore. The bill having been read the third time, the question is, Shall the bill pass?

The bill was passed.

EXECUTIVE MESSAGES REFERRED

Messages from the President of the United States submitting a convention and sundry nominations, were referred to the appropriate committees.

ORDER OF BUSINESS

Mr. JONES. I move that the Senate proceed to the consideration of House bill 15592, being the urgent deficiency appropriation bill.

The PRESIDENT pro tempore. There is a unanimous-consent agreement before the Senate.

Mr. WHEELER. I object to the appropriation bill being taken up, and I ask for the regular order.

The PRESIDENT pro tempore. The regular order is the unanimous-consent agreement printed on the Executive Calendar.

Mr. McNARY. Mr. President, it is true that there is a unanimous-consent agreement that the consideration of the confirmation of the nomination of Mr. Meyer should follow the disposition of the Interior Department appropriation bill, but the Senator from Iowa [Mr. BROOKHART] desires that nomination to go over until to-morrow. In the meantime, I hope the Senator from Montana will permit at least partial consideration of the deficiency bill.

Mr. JONES. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. JONES. We are in legislative session; we are not in executive session, and I take it that the unanimous-consent agreement applies to executive session.

The PRESIDENT pro tempore. That is entirely true, but in the opinion of the present occupant of the chair, legislative and executive procedure have been so mixed up, not only under the rules but under the proceedings which have taken place in the Senate during the last few weeks, that the present occupant of the chair will hold everything out of order except the unanimous-consent agreement to proceed immediately with the consideration of the confirmation of Mr. Meyer.

Mr. JONES. I ask unanimous consent——

The PRESIDENT pro tempore. That may be done.

Mr. JONES. I ask unanimous consent that the Senate proceed to the consideration of House bill 15592, being the urgent deficiency appropriation bill.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Washington?

Mr. BRATTON. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BRATTON. If that agreement shall be entered into what will become of the Meyer nomination?

The PRESIDENT pro tempore. The present occupant of the chair holds that the request of the Senator from Washington is tantamount to asking unanimous consent for the temporary laying aside of the consideration of the confirmation of Mr. Meyer.

Mr. BLACK. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Hale	McNary	Smoot
Barkley	Harris	Metcalf	Steiwer
Black	Hastings	Morrow	Stephens
Blaine	Hayden	Moses	Thomas, Idaho
Bratton	Hebert	Norbeck	Thomas, Okla.
Capper	Howell	Nye	Townsend
Connally	Jones	Oddie	Trammell
Copeland	Kendrick	Partridge	Vandenberg
Dale	Keyes	Pine	Wagner
Deneen	King	Reed	Walcott
Frazier	La Follette	Schall	Watson
George	McGill	Sheppard	Wheeler
Goff	McKellar	Shortridge	Williamson
Goldsborough	McMaster	Smith	

The PRESIDENT pro tempore. Fifty-five Senators having answered to their names, a quorum is present.

Mr. JONES. Mr. President, I should like to make a brief statement to the Senate. The bill for which I am asking consideration is the urgent deficiency appropriation bill. The amendments which have been put on by the Senate committee are primarily intended to assist in aiding the unemployment situation. It is estimated that employment will be furnished to something over 30,000 laborers by the money in this bill to be expended by the 1st of July next. So it seems to me that under the circumstances it is a very important measure, and the Senate can well afford to let it go through.

Mr. WHEELER. Mr. President, I have no objection to the bill being taken up the first thing in the morning, but I have not had a chance to read the bill and I doubt if there are many other Senators on the floor of the Senate who have had a chance to read it and to know what is in it, and few if any of them knew the bill was coming up. If the bill shall go over to-night, I will have no objection to it being taken up the first thing in the morning. I have no desire to hold up the bill.

Mr. BRATTON. Mr. President——

Mr. JONES. I yield to the Senator from New Mexico.

Mr. BRATTON. Let me suggest to the Senator from Montana that we enter into the unanimous-consent agreement as proposed by the Senator from Washington, and then, when the bill shall have been laid before the Senate, that a recess be taken until to-morrow morning.

Mr. WHEELER. I have no objection to that.

The PRESIDENT pro tempore. The Chair wishes to make his opinion known. Inasmuch as the Senate no longer has closed executive sessions and has been doing business in and out of executive session, and inasmuch as the unanimous-consent agreement with reference to the consideration of the nomination of Mr. Meyer has been upon the calendar for many days, the Chair is of the opinion that the only procedure that can now be had is for the Senator from Washington to ask unanimous consent for the temporary abrogation of the unanimous consent now standing on the Executive Calendar in order that the deficiency appropriation bill may be taken up.

Mr. JONES. I am glad to submit a request of that character.

The PRESIDENT pro tempore. Is there objection?

Mr. BRATTON. A parliamentary inquiry.

Mr. WHEELER. I object.

The PRESIDENT pro tempore. Objection is made by the Senator from Montana.

Mr. WHEELER. As I have said, I have no objection to taking the bill up now, provided it shall then be laid aside and be taken up the first thing in the morning.

The PRESIDENT pro tempore. The Chair understood that that would be the procedure.

Mr. WHEELER. I did not so understand; I understood it was desired to proceed with the consideration of the bill to-night.

Mr. McNARY. Mr. President, the request was to take up the bill for immediate consideration. There is no purpose on the part of the Senator from Washington to displace the unfinished business, which is the Meyer nomination.

Does the Senator from Montana object to the consideration of the deficiency appropriation bill to-night?

Mr. WHEELER. I object because, as I have said, I have not had a chance to read the bill and several other Senators have not had a chance to read it.

Mr. McNARY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. McNARY. Does the present occupant of the chair hold that a motion would not now be in order to temporarily lay aside the unfinished business and take up the appropriation bill at this time?

The PRESIDENT pro tempore. The Chair holds that the change in the rules which abolished executive sessions with closed doors has produced such a situation in the business of the Senate that the unanimous-consent agreement can not be set aside.

Mr. JONES. I suggest to the Senator from Oregon that we proceed with the Meyer nomination.

The PRESIDENT pro tempore. That is in accordance with the unanimous-consent agreement, and, in the opinion of the Chair, is what should be followed.

Mr. McNARY. That would not be fair in the absence of the Senator from Iowa [Mr. BROOKHART]; and in view of the unusual ruling of the Chair, I ask unanimous consent that the Senate take a recess until 11 o'clock to-morrow morning.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate (at 7 o'clock and 25 minutes p. m.) took a recess until to-morrow, Thursday, January 22, 1931, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate January 21, 1931

SECRETARIES IN THE DIPLOMATIC SERVICE

Alexander K. Sloan, of Pennsylvania, now a Foreign Service officer of class 6 and a consul, to be also a secretary in the Diplomatic Service of the United States of America.

Robert Y. Brown, of Alabama, now a Foreign Service officer, unclassified, and a vice consul of career, to be also a secretary in the Diplomatic Service of the United States of America.

APPOINTMENT AND PROMOTIONS IN THE NAVY

MARINE CORPS

Lieut. Col. Charles F. Williams to be a colonel in the Marine Corps from the 1st day of January, 1931.

Maj. Bennet Puryear, jr., assistant quartermaster, to be an assistant quartermaster in the Marine Corps with the rank of lieutenant colonel from the 1st day of December, 1930.

Maj. William C. Wise, jr., to be a lieutenant colonel in the Marine Corps from the 1st day of January, 1931.

Capt. Samuel A. Woods, jr., to be a major in the Marine Corps from the 1st day of December, 1930.

Capt. George C. Hamner to be a major in the Marine Corps from the 1st day of January, 1931.

First Lieut. Nicholas E. Clauson to be a captain in the Marine Corps from the 12th day of May, 1930.

First Lieut. George R. Rowan to be a captain in the Marine Corps from the 1st day of October, 1930.

First Lieut. Richard H. Schubert to be a captain in the Marine Corps from the 1st day of December, 1930.

Second Lieut. John N. Hart to be a first lieutenant in the Marine Corps from the 2d day of November, 1930.

Second Lieut. Lionel C. Goudeau to be a first lieutenant in the Marine Corps from the 1st day of December, 1930.

Second Lieut. Alfred R. Pefley to be a first lieutenant in the Marine Corps from the 1st day of December, 1930.

Second Lieut. Sidney R. Williamson to be a first lieutenant in the Marine Corps from the 1st day of December, 1930.

Second Lieut. John H. Stillman to be a first lieutenant in the Marine Corps from the 1st day of December, 1930.

Second Lieut. Hawley C. Waterman to be a first lieutenant in the Marine Corps from the 24th day of December, 1930.

Wright C. Taylor, a citizen of Virginia, to be a second lieutenant in the Marine Corps (probationary for two years) from the 17th day of January, 1931.

POSTMASTERS

ALABAMA

Fred M. Fitts to be postmaster at Alabama City, Ala., in place of F. M. Fitts. Incumbent's commission expired January 17, 1931.

Warren L. Hollingsworth to be postmaster at Lincoln, Ala., in place of W. L. Hollingsworth. Incumbent's commission expired January 17, 1931.

Fred D. Perkins to be postmaster at Wetumpka, Ala., in place of F. D. Perkins. Incumbent's commission expired January 17, 1931.

ARKANSAS

Henry L. Thompson to be postmaster at Huntsville, Ark., in place of H. L. Thompson. Incumbent's commission expired May 12, 1930.

O. John Harkey, jr., to be postmaster at Ola, Ark., in place of O. J. Harkey, jr. Incumbent's commission expires January 28, 1931.

CALIFORNIA

Margaret G. Robinson to be postmaster at Dorris, Calif., in place of M. G. Robinson. Incumbent's commission expired January 10, 1931.

George F. Bartley to be postmaster at Escondido, Calif., in place of G. F. Bartley. Incumbent's commission expired January 10, 1931.

Mabel A. Head to be postmaster at Garden Grove, Calif., in place of M. A. Head. Incumbent's commission expires January 25, 1931.

Fred C. Alexander to be postmaster at Yosemite National Park, Calif., in place of F. C. Alexander. Incumbent's commission expired January 15, 1931.

COLORADO

Henry J. Stahl to be postmaster at Central City, Colo., in place of H. J. Stahl. Incumbent's commission expired January 7, 1931.

Clarence E. Wright to be postmaster at Lake City, Colo., in place of C. E. Wright. Incumbent's commission expired December 14, 1929.

Dixon D. Pennington to be postmaster at Victor, Colo., in place of D. D. Pennington. Incumbent's commission expired January 17, 1931.

IDAHO

George T. Hyde to be postmaster at Downey, Idaho, in place of G. T. Hyde. Incumbent's commission expires January 25, 1931.

Myron A. Corner to be postmaster at Wallace, Idaho, in place of M. A. Corner. Incumbent's commission expired January 17, 1931.

ILLINOIS

Edwin J. Langendorf to be postmaster at Barrington, Ill., in place of J. D. Robertson, resigned.

George J. Rohweder, to be postmaster at Geneseo, Ill., in place of G. J. Rohweder. Incumbent's commission expired January 18, 1931.

Owen A. Robison to be postmaster at Palmyra, Ill., in place of O. A. Robison. Incumbent's commission expires January 22, 1931.

William R. Watts to be postmaster at Paxton, Ill., in place of W. R. Watts. Incumbent's commission expires January 28, 1931.

INDIANA

Charlie E. Smith to be postmaster at Coal City, Ind., in place of C. E. Smith. Incumbent's commission expired January 15, 1931.

Wade Denney to be postmaster at Farmersburg, Ind., in place of Wade Denney. Incumbent's commission expired January 15, 1931.

Charles J. Wheeler to be postmaster at Noblesville, Ind., in place of C. J. Wheeler. Incumbent's commission expired December 14, 1930.

Samuel D. Johnston to be postmaster at Rome City, Ind., in place of W. A. Williams. Incumbent's commission expired January 6, 1930.

Chester M. Davis to be postmaster at St. Paul, Ind., in place of C. M. Davis. Incumbent's commission expired January 15, 1931.

Bert C. Lind to be postmaster at Sandborn, Ind., in place of B. C. Lind. Incumbent's commission expired January 15, 1931.

Edith A. Wetzler to be postmaster at Sunman, Ind., in place of E. A. Wetzler. Incumbent's commission expired January 15, 1931.

IOWA

Kate C. Warner to be postmaster at Dayton, Iowa, in place of K. C. Warner. Incumbent's commission expires January 28, 1931.

Thorwald P. Johnson to be postmaster at Latimer, Iowa. Office became presidential July 1, 1930.

Otho O. Yoder to be postmaster at West Branch, Iowa, in place of O. O. Yoder. Incumbent's commission expires January 28, 1931.

KANSAS

Lewis Thomas to be postmaster at Argonia, Kans., in place of Lewis Thomas. Incumbent's commission expired January 18, 1931.

Nellie C. Preston to be postmaster at Buffalo, Kans., in place of N. C. Preston. Incumbent's commission expired January 15, 1931.

Hester Goldsmith to be postmaster at Cheney, Kans., in place of Hester Goldsmith. Incumbent's commission expired January 18, 1931.

William D. Hale to be postmaster at Dexter, Kans., in place of W. D. Hale. Incumbent's commission expired January 18, 1931.

Carl O. Lincoln to be postmaster at Lindsborg, Kans., in place of C. O. Lincoln. Incumbent's commission expired January 18, 1931.

KENTUCKY

George T. Joyner to be postmaster at Bardwell, Ky., in place of G. T. Joyner. Incumbent's commission expires January 29, 1931.

Robbie M. Ray to be postmaster at Columbus, Ky., in place of R. M. Ray. Incumbent's commission expired July 3, 1930.

Rufus L. Wilkey to be postmaster at Clay, Ky., in place of R. L. Wilkey. Incumbent's commission expires January 24, 1931.

Samuel E. Torian to be postmaster at Gracey, Ky., in place of F. M. Long. Removed.

James H. Branstetter to be postmaster at Glasgow, Ky., in place of J. H. Branstetter. Incumbent's commission expired December 21, 1930.

Albert L. Canter to be postmaster at Lynnville, Ky., in place of J. W. Wingo. Removed.

Jasper N. Oates to be postmaster at Nortonville, Ky., in place of J. N. Oates. Incumbent's commission expires January 29, 1931.

Oscar W. Gaines to be postmaster at Oakland, Ky., in place of O. W. Gaines. Incumbent's commission expired March 11, 1930.

William E. Jones to be postmaster at Princeton, Ky., in place of W. E. Jones. Incumbent's commission expired January 6, 1931.

Elizabeth T. Peak to be postmaster at Waverly, Ky., in place of E. T. Peak. Incumbent's commission expired December 21, 1930.

Eugene E. Johnson to be postmaster at White Plains, Ky., in place of E. E. Johnson. Incumbent's commission expired December 21, 1930.

James A. Miller to be postmaster at Wickliffe, Ky., in place of J. A. Miller. Incumbent's commission expired December 21, 1930.

Armp B. Byrn to be postmaster at Wingo, Ky., in place of W. E. Winslow, removed.

LOUISIANA

Joe M. Henley to be postmaster at Selma, La., in place of J. M. Henley. Incumbent's commission expires January 28, 1931.

MAINE

Jesse B. Crosby to be postmaster at Dennysville, Me., in place of J. B. Crosby. Incumbent's commission expired January 17, 1931.

Harry V. Kimball to be postmaster at Rangeley, Me., in place of R. H. Ellis, resigned.

Michael J. Kennedy to be postmaster at Woodland, Me., in place of M. J. Kennedy. Incumbent's commission expired January 17, 1931.

MARYLAND

Clayton J. Scarborough to be postmaster at Girdletree, Md., in place of C. J. Scarborough. Incumbent's commission expires January 22, 1931.

Elwood L. Murray to be postmaster at Hampstead, Md., in place of E. L. Murray. Incumbent's commission expires January 21, 1931.

Milton D. Reid to be postmaster at New Windsor, Md., in place of M. D. Reid. Incumbent's commission expires January 21, 1931.

William Melville to be postmaster at Sykesville, Md., in place of William Melville. Incumbent's commission expires January 21, 1931.

Harry L. Feeser to be postmaster at Taneytown, Md., in place of H. L. Feeser. Incumbent's commission expires January 21, 1931.

Hobart B. Noll to be postmaster at Woodstock, Md., in place of H. B. Noll. Incumbent's commission expires January 21, 1931.

MASSACHUSETTS

Everett C. Crane to be postmaster at Avon, Mass., in place of A. L. Porter, deceased.

Guy W. Sanborn to be postmaster at Byfield, Mass. Office became presidential July 1, 1930.

Erastus T. Bearse to be postmaster at Chatham, Mass., in place of E. T. Bearse. Incumbent's commission expires January 29, 1931.

Merritt C. Skilton to be postmaster at East Northfield, Mass., in place of M. C. Skilton. Incumbent's commission expires January 29, 1931.

Augustus J. Formhals to be postmaster at Erving, Mass., in place of A. J. Formhals. Incumbent's commission expired January 18, 1931.

Carl D. Thatcher to be postmaster at Housatonic, Mass., in place of C. D. Thatcher. Incumbent's commission expired January 18, 1931.

Thomas Smith to be postmaster at North Grafton, Mass., in place of Thomas Smith. Incumbent's commission expired January 18, 1931.

Elmer E. Landers to be postmaster at Oak Bluffs, Mass., in place of E. E. Landers. Incumbent's commission expires January 29, 1931.

Robert H. Howes to be postmaster at Southboro, Mass., in place of R. H. Howes. Incumbent's commission expired January 18, 1931.

Amasa W. Baxter to be postmaster at West Falmouth, Mass., in place of A. W. Baxter. Incumbent's commission expires January 29, 1931.

Henry J. Porter to be postmaster at Wilmington, Mass., in place of Mabel Holt, resigned.

George H. Lochman to be postmaster at Winchester, Mass., in place of G. H. Lochman. Incumbent's commission expired January 18, 1931.

MICHIGAN

Herbert E. Ward to be postmaster at Bangor, Mich., in place of H. E. Ward. Incumbent's commission expired January 18, 1931.

Robert Wellman to be postmaster at Beulah, Mich., in place of Robert Wellman. Incumbent's commission expires January 29, 1931.

John H. Porter to be postmaster at Boyne Falls, Mich. Office became presidential July 1, 1930.

William J. Putnam to be postmaster at Goodrich, Mich., in place of W. J. Putnam. Incumbent's commission expired January 18, 1931.

Arthur Locke to be postmaster at Middleton, Mich., in place of Arthur Locke. Incumbent's commission expired January 18, 1931.

William C. Thompson to be postmaster at Midland, Mich., in place of W. C. Thompson. Incumbent's commission expires January 29, 1931.

Frank B. Housel to be postmaster at St. Louis, Mich., in place of F. B. Housel. Incumbent's commission expired January 18, 1931.

Charles A. Jordan to be postmaster at Saline, Mich., in place of C. A. Jordan. Incumbent's commission expired January 18, 1931.

Rob C. Brown to be postmaster at Stockbridge, Mich., in place of R. C. Brown. Incumbent's commission expires January 29, 1931.

Fred Lutz to be postmaster at Warren, Mich., in place of Fred Lutz. Incumbent's commission expired December 14, 1930.

MINNESOTA

Edward F. Joubert to be postmaster at Wheaton, Minn., in place of E. F. Joubert. Incumbent's commission expires January 29, 1931.

Fred F. Campbell to be postmaster at White Bear Lake, Minn., in place of F. F. Campbell. Incumbent's commission expired January 15, 1931.

MISSISSIPPI

Thomas W. Maxwell to be postmaster at Canton, Miss., in place of T. W. Maxwell. Incumbent's commission expired February 21, 1929.

George E. Cook to be postmaster at Clarksdale, Miss., in place of C. V. Taylor. Incumbent's commission expired January 10, 1928.

William P. White to be postmaster at Smithville, Miss. Office became presidential July 1, 1930.

MISSOURI

Harry E. Carel to be postmaster at Blue Springs, Mo., in place of H. E. Carel. Incumbent's commission expires January 29, 1931.

Robert W. Raines to be postmaster at Glasgow, Mo., in place of R. W. Raines. Incumbent's commission expires January 28, 1931.

John A. Griesel to be postmaster at Golden City, Mo., in place of J. A. Griesel. Incumbent's commission expired January 15, 1931.

Virgil P. Reid to be postmaster at Grandview, Mo., in place of A. J. Humble. Incumbent's commission expired June 22, 1930.

John L. Oheim to be postmaster at Kimmswick, Mo., in place of J. L. Oheim. Incumbent's commission expires January 29, 1931.

Floyd O. King to be postmaster at Leasburg, Mo., in place of F. O. King. Incumbent's commission expires January 22, 1931.

Fred Mitchell to be postmaster at Purdy, Mo., in place of Fred Mitchell. Incumbent's commission expired January 15, 1931.

Arthur T. King to be postmaster at Warrensburg, Mo., in place of A. T. King. Incumbent's commission expires January 29, 1931.

Harris L. Fox to be postmaster at Willard, Mo., in place of H. L. Fox. Incumbent's commission expires January 22, 1931.

MONTANA

John M. Bever to be postmaster at Bridger, Mont., in place of J. M. Bever. Incumbent's commission expires January 22, 1931.

Arthur C. Baker to be postmaster at Hamilton, Mont., in place of A. C. Baker. Incumbent's commission expires January 22, 1931.

NEBRASKA

Alfred W. Cosson to be postmaster at Amherst, Nebr., in place of A. W. Cosson. Incumbent's commission expires January 22, 1931.

Ross L. Douglas to be postmaster at Litchfield, Nebr., in place of R. L. Douglas. Incumbent's commission expired January 17, 1931.

NEW HAMPSHIRE

Josie L. Pascoe to be postmaster at Chocorua, N. H., in place of J. L. Pascoe. Incumbent's commission expired January 17, 1931.

Nellie L. Mason to be postmaster at Greenfield, N. H., in place of N. L. Mason. Incumbent's commission expired December 13, 1930.

Edson M. Barker to be postmaster at Plymouth, N. H., in place of E. M. Barker. Incumbent's commission expires January 25, 1931.

James R. Kill Kelley to be postmaster at Wilton, N. H., in place of J. R. Kill Kelley. Incumbent's commission expired January 17, 1931.

NEW JERSEY

Frederick R. Dixon to be postmaster at Bellemead, N. J., in place of F. R. Dixon. Incumbent's commission expired December 14, 1930.

Joseph H. McLaughlin to be postmaster at Bradley Beach, N. J., in place of J. H. McLaughlin. Incumbent's commission expired April 9, 1930.

William F. Vredenburgh to be postmaster at Caldwell, N. J., in place of W. F. Vredenburgh. Incumbent's commission expired January 10, 1931.

Horace E. Richardson to be postmaster at Cape May Courthouse, N. J., in place of H. E. Richardson. Incumbent's commission expires January 28, 1931.

J. Hosey Osborn to be postmaster at Passaic, N. J., in place of J. H. Osborn. Incumbent's commission expires January 28, 1931.

Richard W. Rosenbaum to be postmaster at Sea Isle City, N. J., in place of R. W. Rosenbaum. Incumbent's commission expires January 22, 1931.

NEW MEXICO

Pearl B. Grady to be postmaster at Texico, N. Mex., in place of P. B. Grady. Incumbent's commission expired January 18, 1931.

NEW YORK

Ethel C. Smith to be postmaster at Adams Center, N. Y., in place of E. C. Smith. Incumbent's commission expired January 10, 1931.

Guy M. Lovell to be postmaster at Camillus, N. Y., in place of G. M. Lovell. Incumbent's commission expired January 6, 1931.

William S. Finney to be postmaster at Cayuga, N. Y., in place of W. S. Finney. Incumbent's commission expires January 22, 1931.

Floyd C. Buell, jr., to be postmaster at Cherry Creek, N. Y., in place of E. M. Madison, resigned.

Edna Frisbee to be postmaster at Conewango Valley, N. Y. Office became presidential July 1, 1930.

Mary H. Avery to be postmaster at Elmsford, N. Y., in place of M. H. Avery. Incumbent's commission expires January 28, 1931.

Wayland H. Mason to be postmaster at Fairport, N. Y., in place of W. H. Mason. Incumbent's commission expires January 22, 1931.

Adolph N. Johnson to be postmaster at Falconer, N. Y., in place of A. N. Johnson. Incumbent's commission expires January 28, 1931.

William D. Creighton to be postmaster at Fort Covington, N. Y., in place of W. D. Creighton. Incumbent's commission expires January 28, 1931.

Wade E. Gayer to be postmaster at Fulton, N. Y., in place of W. E. Gayer. Incumbent's commission expires January 22, 1931.

Sister Mary M. McCue to be postmaster at Gabriels, N. Y., in place of Sister Mary M. McCue. Incumbent's commission expires January 22, 1931.

Earl W. Kostenbader to be postmaster at Groton, N. Y., in place of E. W. Kostenbader. Incumbent's commission expires January 28, 1931.

James H. Layman to be postmaster at Haines Falls, N. Y., in place of J. H. Layman. Incumbent's commission expires January 22, 1931.

John C. Banschbach to be postmaster at Hicksville, N. Y., in place of J. C. Banschbach. Incumbent's commission expired December 11, 1930.

George W. Van Hyning to be postmaster at Hoosick Falls, N. Y., in place of G. W. Van Hyning. Incumbent's commission expires January 22, 1931.

George F. Yaple to be postmaster at Loch Sheldrake, N. Y., in place of G. F. Yaple. Incumbent's commission expires January 22, 1931.

Henry S. Whitney to be postmaster at Manlius, N. Y., in place of H. S. Whitney. Incumbent's commission expires January 22, 1931.

Burton E. McGee to be postmaster at Norfolk, N. Y., in place of B. E. McGee. Incumbent's commission expires January 28, 1931.

Thomas S. Spear to be postmaster at Sinclairville, N. Y., in place of T. S. Spear. Incumbent's commission expires January 22, 1931.

Fred C. Smith to be postmaster at Vernon, N. Y., in place of F. C. Smith. Incumbent's commission expires January 28, 1931.

Henry Neddo to be postmaster at Whitehall, N. Y., in place of Henry Neddo. Incumbent's commission expires January 22, 1931.

Margaret D. Martin to be postmaster at Willard, N. Y., in place of M. D. Martin. Incumbent's commission expired January 6, 1931.

Lester B. Dobbin to be postmaster at Wolcott, N. Y., in place of L. B. Dobbin. Incumbent's commission expires January 28, 1931.

Nicholas Duffy to be postmaster at Port Chester, N. Y., in place of D. P. Townsend. Incumbent's commission expired January 29, 1930.

NORTH CAROLINA

Fannie M. Carter to be postmaster at Weldon, N. C., in place of F. M. Carter. Incumbent's commission expires January 28, 1931.

NORTH DAKOTA

Anastacia Rohde to be postmaster at Drake, N. Dak., in place of Anastacia Rohde. Incumbent's commission expired January 18, 1931.

Charles E. Watkins to be postmaster at Dunseith, N. Dak., in place of C. E. Watkins. Incumbent's commission expired January 17, 1931.

George Hummel to be postmaster at Gackle, N. Dak., in place of George Hummel. Incumbent's commission expired January 17, 1931.

William R. Jordan to be postmaster at Luverne, N. Dak., in place of W. R. Jordan. Incumbent's commission expires January 28, 1931.

Helen J. Beaty to be postmaster at Manning, N. Dak., in place of H. J. Beaty. Incumbent's commission expired January 17, 1931.

Flora Bangasser to be postmaster at Norma, N. Dak., in place of Flora Bangasser. Incumbent's commission expired January 17, 1931.

Marie A. Borrud to be postmaster at Ross, N. Dak., in place of M. A. Borrud. Incumbent's commission expires January 22, 1931.

OHIO

Charles C. Shaffer to be postmaster at Alliance, Ohio, in place of C. C. Shaffer. Incumbent's commission expires January 28, 1931.

Samuel F. Rose to be postmaster at Clarington, Ohio, in place of S. F. Rose. Incumbent's commission expired January 10, 1931.

Charles H. Rice to be postmaster at Hamden, Ohio, in place of O. G. Cross, deceased.

William H. Hunt to be postmaster at Mechanicsburg, Ohio, in place of W. H. Hunt. Incumbent's commission expired January 17, 1931.

Mayme Pemberton to be postmaster at Roseville, Ohio, in place of Mayme Pemberton. Incumbent's commission expired January 10, 1931.

Roy Heap to be postmaster at St. Marys, Ohio, in place of Roy Heap. Incumbent's commission expired January 10, 1931.

Nellie S. Wilson to be postmaster at Somerset, Ohio, in place of G. M. Brehm, deceased.

Arden E. Holly to be postmaster at Woodville, Ohio, in place of F. F. Perringer. Incumbent's commission expired December 21, 1929.

OKLAHOMA

Manford Burk to be postmaster at Hooker, Okla., in place of Manford Burk. Incumbent's commission expired April 28, 1930.

PENNSYLVANIA

Norman Baily to be postmaster at Coatesville, Pa., in place of J. D. Scott, deceased.

Malcolm F. Clark to be postmaster at Coudersport, Pa., in place of M. F. Clark. Incumbent's commission expired July 2, 1930.

SOUTH CAROLINA

Gordon W. Morris to be postmaster at Society Hill, S. C., in place of J. S. McCall, removed.

SOUTH DAKOTA

Knute T. Kallander to be postmaster at Burke, S. Dak., in place of K. T. Kallander. Incumbent's commission expired December 17, 1930.

George E. Conrick to be postmaster at Chamberlain, S. Dak., in place of G. E. Conrick. Incumbent's commission expired January 18, 1931.

Mathias D. Eide to be postmaster at Howard, S. Dak., in place of M. D. Eide. Incumbent's commission expired January 18, 1931.

Edward N. Gallagher to be postmaster at Keystone, S. Dak. Office became presidential July 1, 1930.

Benny P. Humphreys to be postmaster at Reliance, S. Dak., in place of B. P. Humphreys. Incumbent's commission expired January 18, 1931.

Jacob L. Bergstreser to be postmaster at Willow Lake, S. Dak., in place of J. L. Bergstreser. Incumbent's commission expired January 18, 1931.

TENNESSEE

Norman Massa to be postmaster at Cookeville, Tenn., in place of Norman Massa. Incumbent's commission expires January 24, 1931.

Clarence E. Locke to be postmaster at Ethridge, Tenn., in place of C. E. Locke. Incumbent's commission expires January 28, 1931.

Merle Morgan to be postmaster at Graysville, Tenn., in place of Merle Morgan. Incumbent's commission expires January 28, 1931.

John H. Wilson to be postmaster at Kingston, Tenn., in place of J. H. Wilson. Incumbent's commission expires January 24, 1931.

Reece E. Rogers to be postmaster at Pressmen's Home, Tenn., in place of R. E. Rogers. Incumbent's commission expires January 24, 1931.

Joseph M. Patterson to be postmaster at Watertown, Tenn., in place of J. M. Patterson. Incumbent's commission expired January 14, 1931.

TEXAS

Emma B. Green to be postmaster at Bowie, Tex., in place of J. E. Shelton, resigned.

VERMONT

Fred R. Lloyd to be postmaster at Fair Haven, Vt., in place of F. R. Lloyd. Incumbent's commission expires January 22, 1931.

John H. Dimond to be postmaster at Manchester Center, Vt., in place of J. H. Dimond. Incumbent's commission expired January 15, 1931.

Leon F. Merrill to be postmaster at Norwich, Vt., in place of R. C. Olds. Incumbent's commission expired March 6, 1930.

VIRGINIA

Baxter W. Mock to be postmaster at Damascus, Va., in place of B. W. Mock. Incumbent's commission expired December 22, 1930.

Nellie D. Swan to be postmaster at Gordonsville, Va., in place of N. D. Swan. Incumbent's commission expired December 22, 1930.

Elton H. Finks to be postmaster at Somerset, Va., in place of E. H. Finks. Incumbent's commission expired December 22, 1930.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 21, 1931

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

We thank Thee, Almighty God, that the merciful gates of Thy love stand open day and night. Our Father, we earnestly seek deliverance from the slave of selfishness and from the passionate prey of evil desire, that we may bring honor to our station and give full proof of our high estate. Throughout our land subdue unjust criticism, and in our hearts may we raise the high anthem of a nation's worth and pride, bearing loyalty and fidelity to our Christian institutions. Bring us all into concord with the fine and patriotic hopes and aspirations of the sons and daughters of toil. O may we labor, may we dream, may we long, and may we grasp the breadth, the length, the depth, and the height of the divine plan. In the name of the Savior. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries.

PRINTING ADDITIONAL COPIES OF THE REPORT OF THE LAW ENFORCEMENT COMMISSION

Mr. BEERS. Mr. Speaker, I ask unanimous consent for the present consideration of a resolution from the Committee on Printing.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for the present consideration of a resolution, which the Clerk will report.

The Clerk read as follows:

House Concurrent Resolution 46

Resolved by the House of Representatives (the Senate concurring), That there be printed 18,000 additional copies of House Document No. 722, Seventy-first Congress, being a message from the President of the United States transmitting a report of the National Commission on Law Observance and Enforcement relative to the facts as to enforcement, the benefits, and the abuses under prohibition laws of the United States, of which 12,000 copies shall be for the use of the House, 4,000 copies for the use of the Senate, 1,000 copies for the document room of the House, and 1,000 copies for the document room of the Senate.

Mr. GARNER. Mr. Speaker, reserving the right to object, may I ask the gentleman if this is a unanimous report from his committee, all the members attending?

Mr. BEERS. There is only one member of the committee who is here at this time, so it is unanimous.

Mr. GARNER. The gentleman from South Carolina, Mr. STEVENSON, is on that committee?

Mr. BEERS. Yes.

Mr. GARNER. And as I understand, he is not in the city?

Mr. BEERS. No.

Mr. GARNER. What is to be the cost of this printing?

Mr. BEERS. $1,080.

Mr. STAFFORD. Will the gentleman yield?

Mr. BEERS. Yes.

Mr. STAFFORD. I understand by the phrase "12,000 copies shall be for the use of the House" that the 12,000 copies will be distributed through the folding room?

Mr. BEERS. Yes.

Mr. STAFFORD. So it is not necessary to incorporate the words "to be distributed through the folding room"?

Mr. BEERS. No.

Mr. EDWARDS. Reserving the right to object, will the gentleman yield?

Mr. BEERS. Yes.

Mr. EDWARDS. This will give the Members of the House how many copies each?

Mr. BEERS. Twenty-seven copies each, and 1,000 copies will be placed in the document room.

Mr. EDWARDS. Has the gentleman's committee considered the publication of the Fish report on communism also, so that we may have some copies of that report?

Mr. BEERS. No; we have not.

Mr. EDWARDS. That matter has not come before the gentleman's committee?

Mr. BEERS. No.

Mr. STAFFORD. Will the gentleman yield further?

Mr. BEERS. Yes.

Mr. STAFFORD. Has the gentleman considered at all the printing of the voluminous testimony that was taken by the commission?

Mr. BEERS. This is a resolution for printing the report of the commission.

Mr. STAFFORD. And now I am seeking information as to whether anything has been presented to the gentleman's committee with respect to printing the testimony that is supposed to support this report.

Mr. BEERS. There has not been anything presented to the committee.

Mr. LAGUARDIA. If the gentleman will permit, Judge Kenyon said the testimony was secret and also stated that it was very valuable and instructive, and further stated the public would never know what was in that testimony until we had a congressional investigation. I have introduced a resolution to that effect this morning.

Mr. STAFFORD. I was hopeful the testimony would be available to the Members of the House, so we could see on what they based their inconsistent report.

Mr. LAGUARDIA. It is secret.

Mr. CRAMTON. Am I to understand that my colleague is disappointed in the report?

Mr. STAFFORD. I am very much disappointed in the fact that they did not have the courage to follow out their convictions. They admit the law is not enforceable, but these doctrinaires did not have the courage to follow their convictions to a logical conclusion.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The resolution was agreed to.

CONFERENCE REPORT—TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL

Mr. WOOD submitted the conference report on the bill (H. R. 14246) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes, for printing under the rule.

INDEPENDENT OFFICES APPROPRIATION BILL

Mr. WASON, from the Committee on Appropriations, by direction of that committee, submitted a report on the bill (H. R. 16415, Rept. No. 2320) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1932, and for other purposes, which was read the first and second time and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. BYRNS reserved all points of order.

PERMISSION FOR COMMITTEE TO SIT DURING SESSIONS OF THE HOUSE

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary of the House be per-